portation of alcoholic-beverage advertising in interstate commerce and to prevent the broadcasting of alcoholic-beverage advertising over the radio; to the Committee on Interstate and Foreign Commerce.

423. By Mrs. NORTON: Petition of New Jersey Vocational and Arts Association, urging appropriations of the full amount of money authorized under the George-Barden Act for the further development of vocational education; to the Committee on Education and Labor.

424. By the SPEAKER: Petition of the National Society, Daughters of the American Revolution, petitioning consideration of their resolution with reference to favoring the creation of a national park at Alamance battlefield, North Carolina, to the Committee on Public Lands.

SENATE

FRIDAY, MAY 2, 1947

(Legislative day of Monday, April 21, 1947)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord, Thou dost know the secrets that will remake Thy world, for Thou art the way. Help us to see that the forces that threaten the freedoms for which we fought cannot be argued down, nor can they be shot down. They must be lived down. Give to the leaders of our Nation the inspired ideas that shall lead this country into making the American dream come true.

Through Jesus Christ our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., May 2, 1947.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HARRY P. CAIN, a Senator from the State of Washington, to perform the duties of the Chair during my absence.

A. H. VANDENBERG,
President pro tempore.

Mr. CAIN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 1, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a bill (H. R. 3203) relative to maximum rents on housing accommodations; to repeal certain provisions of Public Law 388, Seventy-ninth Congress; and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 2157) to relieve employers from certain liabilities and punishments under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, and the Bacon-Davis Act, and for other purposes, and it was signed by the Acting President pro tempore.

LABOR RELATIONS

The Senate resumed the consideration of the bill (S. 1126) to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment, as modified, proposed by the Senator from Minnesota [Mr. BALL], for himself, the Senator from Virginia [Mr. BYRD], the Senator from Georgia [Mr. GEORGE], and the Senator from New Jersey [Mr. SMITH], inserting on page 14, line 6, after the word "coerce", certain language.

Under the unanimous-consent agreement reached by the Senate yesterday afternoon, the time between now and 2 o'clock, when the pending motion is to be voted on, will be divided equally between the proponents and opponents of the amendment, and will be controlled, respectively, by the Senator from Minnesota [Mr. BALL] and the Senator from Florida [Mr. PEPPER].

Mr. BALL. I yield 5 minutes to the Senator from New York [Mr. WAGNER].

PRESENTATION OF AWARD TO SENATOR WAGNER BY SHEIL SCHOOL OF SOCIAL STUDIES

Mr. WAGNER. Mr. President, on April 17 in the city of Chicago I was very highly honored by having conferred upon me by the Right Reverend Bernard J. Sheil, auxiliary bishop of that great metropolis, the Pope Leo XIII award. This high award is conferred annually for outstanding contribution to Christian social education.

I think it is significant at this time, when the act which bears my name is the subject of so much criticism and abuse, that Bishop Sheil, in asking me to accept the award, referred to the Wagner Labor Relations Act as an example of what he characterized as an "inestimable service to this Nation and the world."

Mr. President, I ask unanimous consent to have included in the Appendix of the RECORD the citation accompanying the presentation of the award and my speech accepting it.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

MEETING OF SUBCOMMITTEE ON FLOOD CONTROL OF PUBLIC WORKS COMMITTEE

Mr. WHERRY. Mr. President, I ask unanimous consent that the Subcommittee on Flood Control of the Committee on Public Works be permitted to sit during the session of the Senate today

The ACTING PRESIDENT pro tempore. Without objection, permission is granted.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

ESTIMATE OF APPROPRIATIONS — INTERSTATE COMMERCE COMMISSION (S. DOC. NO. 47)

A communication from the President of the United States, transmitting draft of a proposed provision pertaining to an estimate of appropriation for the Interstate Commerce Commission, fiscal year 1947 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

AUDIT REPORT OF WAR SHIPPING ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, the audit report of the War Shipping Administration for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

AUDIT REPORT OF INLAND WATERWAYS CORPORATION AND SUBSIDIARY CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, the audit report of the Inland Waterways Corporation and its subsidiary, Warrior River Terminal Co., for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Eighth Guam Congress; to the Committee on Public Lands:

"Joint Resolution 1

"Whereas the United States of America acquired the Island of Guam as a result of the Spanish-American War under the terms of the treaty signed at Paris on December 10, 1898; and

"Whereas article IX, paragraph 2, of the said treaty provides that the Congress of the United States of America shall determine the civil rights and political statutes of the native inhabitants of the territories thereby ceded by Spain to the United States of America; and

"Whereas the United States of America has created a tradition for its respect and adherence to the sanctity of treaties, said tradition having been consistently maintained upon numerous occasions, including that of determination by the Congress of the United States of the civil rights and political status of the native inhabitants of Puerto Rico and the Philippine Islands, the other territories ceded with the island of Guam by Spain to the United States of America under the terms of the said treaty signed at Paris, on December 10, 1898; and

"Whereas the people of Guam have consistently proven their love for and loyalty to the United States of America during times of peace and throughout the horrors of a

terrible war wherein faith in God and country, upheld the said love for and loyalty to the United States by a helpless people; and

"Whereas the people of Guam owing permanent allegiance to the United States have always aspired to be recognized as citizens of their own and beloved Nation the United States of America, and having honorably served said Nation in war and peace; and

"Whereas in the service to God and country to which the people of Guam have uncomplainingly contributed their all many families have been honored by having a member or members thereof become unsung hero or heroes, having made the supreme sacrifice: Now, therefore, be it

"Resolved, That this joint resolution be adopted by the Eighth Guam Congress, in joint session, for presentation to the Congress of the United States of America for appropriate action in the determination of the civil rights and political status of the citizens of Guam to the effect that a law be passed by the said Congress of the United States, granting full citizenship of the United States to the aforesaid citizens of Guam, together with the enactment of an organic law for the government thereof; and be it further

"Resolved, That one copy of this joint resolution, signed by the Honorable B. J. Bordallo, chairman of the house of council, and the Honorable E. T. Calvo, chairman of the house of assembly, be forwarded by the way of the Honorable Governor of Guam, and other official channels to the Eightieth Congress of the United States of America; and be it further

"Resolved, That one copy each of this joint resolution be furnished the Civil Administrator, naval government of Guam; the Honorable Governor of Guam; the Honorable Secretary of the Navy; the Honorable Secretary of State; the Honorable Secretary of War; the Honorable Secretary of Interior; His Excellency, the President of the United States; the Honorable Speaker, United States House of Representatives; the Honorable President, United States Senate; the Honorable chairman and members, Committee on Territories and Insular Affairs; United States House of Representatives; and any other person deemed to be friendly to Guam and people

"Done at Agana, Guam, this 4th day of January 1947.

"The within resolution was passed unanimously by both houses of congress on the date indicated therein."

By Mr. LODGE (for himself and Mr. SALTONSTALL):

Resolution of the Legislature of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"Resolution for requests for amendments to the Charter of the United Nations resulting in a limited world federal government

"Whereas modern science has now produced means by which mankind can destroy itself; and

"Whereas disarmament and world peace can only be achieved by world order, world law and some measure of world government; and

"Whereas the United Nations is an organization in being and its Charter is capable of amendment so as to make it an effective instrument for the maintenance of world order; and

"Whereas the people in 255 cities and towns of the commonwealth, by a vote of 586,093 to 63,624 favored strengthening the United Nations: Therefore be it

"Resolved, That the President of the United States be requested to direct our delegates to the United Nations to propose or support amendments to its Charter which will strengthen the United Nations and make it a limited world federal government able to prevent war; and be it further

"Resolved, That in the preparation of such amendments our delegates should advocate:

"1. Delegation to the United Nations of limited but adequate legislative, executive, and judicial powers:

"(a) To maintain such world inspection police and military forces as are necessary to enforce world law and to provide world security;

"(b) Gradually and progressively to eliminate national armaments (other than those necessary for internal policing); and

"(c) To provide for dependable revenue.

"2. Balanced representation of each nation in the General Assembly upon a just formula which will recognize influence in the world, natural and industrial resources, literacy, population, and other relevant factors; each representative to vote as an individual.

"3. Adoption of a bill of rights assuring fair trial and other adequate protection of persons affected by the Charter and laws enacted thereunder.

"4. Reservation to the member nations and their peoples of all powers not expressly delegated to the United Nations, in order to guarantee to each nation its right to maintain its own domestic, political, economic, social and religious institutions; and be it further

"Resolved, That the Congress of the United States be requested to urge the calling of a general conference under article 109 of the United Nations Charter to review the Charter and to recommend appropriate amendments thereto; and be it further

"Resolved, That this resolution shall not be construed to advocate unilateral disarmament by the United States; and be it further

"Resolved, That copies of this resolution be sent by the State secretary to the President of the United States, to the Secretary of State, to the Senators and Representatives in Congress, and to the delegates of the United States to the United Nations.

"In house of representatives, adopted, March 26, 1947.

"In senate, adopted, in concurrence, March 31, 1947."

By Mr. MILLIKIN:

A petition signed by 403 citizens of the city of Denver, Colo., praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic-beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. CAPPER:

A petition signed by 200 citizens of Columbia, Mo., praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic-beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KEM, from the Committee on the District of Columbia:

H. R. 492. A bill to authorize the juvenile court of the District of Columbia in proper cases to waive jurisdiction in capital offenses and offenses punishable by life imprisonment; without amendment; and

H. R. 493. A bill to amend section 4 of the act entitled "An act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia," approved July 8, 1932 (sec. 22: 3204, D. C. Code, 1940 ed.); without amendment.

By Mr. BUCK, from the Committee on Banking and Currency:

S. 854. A bill to amend section 502 (a) of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes"; with amendments (Rept. No. 151).

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. LANGER, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation three lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND (for himself and Mr. PEPPER):

S. 1212. A bill relating to the completion of Everglades National Park, in the State of Florida, and for other purposes; to the Committee on Public Lands.

By Mr. GURNEY (by request):

S. 1213. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

S. 1214. A bill to amend the act entitled "An act to provide for the training of officers for the naval service, and for other purposes", approved August 13, 1946;

S. 1215. A bill to authorize conversions of certain naval vessels;

S. 1216. A bill to repeal that part of section 3 of the act of June 24, 1926 (44 Stat. 767), as amended, relating to the percentage, in time of peace, of enlisted personnel employed in aviation tactical units of the Navy and Marine Corps, and for other purposes;

S. 1217. A bill to amend the "Mustering-Out Payment Act of 1944," in order to terminate eligibility for mustering-out payments;

S. 1218. A bill to stimulate volunteer enlistments in the Regular Military Establishment of the United States; and

S. 1219. A bill to amend existing laws relating to military leave of certain employees of the United States or of the District of Columbia so as to equalize rights to leave of absence and reemployment for such employees who are members of the Enlisted or Officers' Reserve Corps, the National Guard or the Naval Reserve, and for other purposes; to the Committee on Armed Services.

S. 1220. A bill to transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes; to the Committee on Public Lands.

By Mr. KNOWLAND:

S. 1221. A bill to make retrocession to the State of California of jurisdiction over certain land to be used in connection with operations of the Golden Gate Bridge and Highway District; to the Committee on Armed Services.

(Mr. MORSE (for Mr. CORDON and himself), by request, introduced Senate bill 1222, to remove restrictions on the property and moneys belonging to the individual enrolled members of the Klamath Indian Reservation in Oregon, to provide for the liquidation of tribal property and distribution of the proceeds thereof, to confer complete citizenship upon such Indians, and for other purposes, which was referred to the Committee on Public Lands, and appears under a separate heading.)

By Mr. BUTLER:

S. J. Res. 109. Joint resolution authorizing permission to be given for the erection in Washington, D. C., of a monument to the dead of the First Infantry Division, United

States Forces in World War II; to the Committee on Rules and Administration.

LABOR RELATIONS—AMENDMENTS

Mr. O'DANIEL (for himself and Mr. EASTLAND) submitted two amendments intended to be proposed by them, jointly, to the bill (S. 1126) to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes, which were ordered to lie on the table and to be printed.

INTERIOR DEPARTMENT APPROPRIATIONS—AMENDMENTS

Mr. BUSHFIELD submitted amendments intended to be proposed by him to the bill (H. R. 3123) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 14, line 12, after "ing", insert the following: "including not to exceed $628,769 for the following-named hospitals and sanatorium in the State of South Dakota: Crow Creek Hospital, $41,422; Pine Ridge Hospitals, $121,320; Rosebud Hospital, $146,571; Cheyenne River Hospital, $70,912; Sioux Sanatorium, $197,424; and Sisseton Hospital, $51,120."

On page 16, line 11, after the word "Washington", insert the word "South Dakota."

On page 27, line 1, after the word "Nevada", insert a comma and the words "South Dakota."

Mr. ECTON submitted amendments intended to be proposed by him to the bill (H. R. 3123) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes, which were referred to the Committee on Appropriations, and ordered to be printed, as follows:

On page 16, line 10, strike out the word "Montana."

On page 16, line 15, after the word "Nevada", insert a comma and the word "Montana."

On page 27, line 1, after the word "Nevada", insert a comma and the word "Montana."

HOUSE BILL PLACED ON THE CALENDAR

The bill (H. R. 3203) relative to maximum rents on housing accommodations; to repeal certain provisions of Public Law 388, Seventy-ninth Congress, and for other purposes, was read twice by its title, and ordered to be placed on the calendar.

INVESTIGATION OF DIFFERENCES IN COSTS OF SPONGES

Mr. HOLLAND (for himself and Mr. PEPPER) submitted the following resolution (S. Res. 109), which was referred to the Committee on Finance:

Resolved, That the United States Tariff Commission is directed, under authority conferred by section 336 of the Tariff Act of 1930 and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Sponges.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

FEDERAL AID TO EDUCATION—STATEMENT BY SENATOR KILGORE

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a statement on Federal aid to education prepared by Senator KILGORE, which appears in the Appendix.]

INTERNATIONAL TRANSPORT—ADDRESS BY CHARLES P. McCORMICK

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD an address on international transport, delivered by Charles P. McCormick before the annual meeting of the Chamber of Commerce of the United States in Washington on April 30, 1937, which appears in the Appendix.]

FUTURES MARKET—ARTICLE FROM FARMERS' GUILD NEWS

[Mr. MORSE asked and obtained leave to have printed in the RECORD an article entitled "Several Pertinent Questions Regarding Futures Markets," quoting a letter from Ernest D. MacDougall, published in the February-March 1947 issue of the Farmers' Guild News, which appears in the Appendix.]

LABOR RELATIONS

The Senate resumed the consideration of the bill (S. 1126) to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

Mr. BALL. Mr. President, the Senator from Florida is detained appearing before a committee. He called me up this morning and told me that if the Senator from Oregon [Mr. MORSE] wanted to proceed he could speak in the time of the Senator from Florida, and would be granted 45 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Oregon is, therefore, recognized.

Mr. MORSE. Mr. President, at the outset of my remarks I wish to say that I prefer not to yield, because of the limitations of time. However, if any Member of the Senate feels that any point raised by me so involves an argument made by him in previous debate that he does not care to wait until I conclude my remarks in order to ask a question I shall endeavor to oblige him by yielding. However, to the extent possible I should like to have my colleagues refrain from asking me to yield until I get through with my main comments, and then I assure them that I shall be as accommodating as I always try to be in carrying on an interchange of views with them.

Mr. President, the pending amendment is a very difficult one against which to argue, and no one is more keenly aware of that fact than is the junior Senator from Oregon. It is difficult to argue against it because on its face it appears to be a most reasonable and fair amendment. Certainly all of us are opposed to coercive tactics. If I felt that the amendment would be at all helpful in promoting better labor-industrial relations, I, too, would like to go along with the proposal, which on its face, and by its terminology, seems to be fair and plausible. I read it:

On page 14, line 6, after the word "coerce", insert the following: "(A) employees in the exercise of the rights guaranteed in section 7: *Provided*, That this subsection shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B)."

Mr. President, I shall now argue against the adoption of the amendment, for a series of reasons. One reason in a way stands off by itself, in a class by itself. It is a reason which goes to my viewpoint as to what the policy of the Senate of the United States should be in passing upon labor legislation at this particular session of Congress.

I wish to point out that we had weeks of public hearings before the committee, followed by prolonged executive sessions, in which reasonable men, including each one of the 13 members of the committee, tried hard to reach a common agreement on a fair and workable labor bill. The members of the committee were motivated only, I assure my colleagues, by a sincere desire to prepare and report a committee bill which would greatly improve labor relations. Acting in complete good faith, they entered into many conscionable compromises of their differences in original points of view. The Senator from Ohio [Mr. TAFT], the distinguished chairman of the committee, whose fine work on the committee I have commended heretofore, and I repeat the commendation this morning; the Senator from Minnesota [Mr. BALL], the Senator from New Jersey [Mr. SMITH], all of whom had views somewhat at variance with some of my views, and vice versa, compromised many times, as did all the other members of the committee, in the interest of reaching an agreement on a fair and reasonable committee bill and report.

I think our labors brought forth such a bill and such a report, because when the vote was actually taken in the committee the vote was in fact 11 to 2 for the committee bill. The two dissenting members, the distinguished Senator from Montana [Mr. MURRAY] and the distinguished Senator from Florida [Mr. PEPPER], I think would stand on the floor of the Senate today and admit—in fact, I think they have admitted, in effect, in their speeches heretofore made—that many features of the bill as reported are desirable and sound. They objected to certain provisions included in the final bill to such a degree that they found it impossible to go along with the final report.

The distinguished Senator from Utah [Mr. THOMAS] voted for the bill. Then he filed a special concurring opinion, I may call it, expressing in some instances, views somewhat at variance with those of some of us in the majority. After

voting with the majority to report the bill, the Senator from Utah joined also with the signers of the minority views. As I understand his position, he feels that if we are to have any legislation, it should be in the form of the committee bill rather than in the form of a more drastic bill.

The point I want to stress, Mr. President, in this first argument today against the amendment, is that I think the members of the Committee on Labor and Public Welfare performed yeoman's service in reaching an agreement, so far as reasonable men can agree when differences of opinion as to certain objectives in labor legislation exist between and among them. I think we agreed upon the best possible bill that could be written by the committee. It is true that, at the time of the vote, members of the committee, including the distinguished chairman, reserved the right that Senators always have to offer amendments to the bill on the floor of the Senate. He has seen fit to exercise that right; as has my good friend the Senator from Minnesota. I do not quarrel with that; but I do want to emphasize the point that if the Senate should pass the bill as it came from the committee, it would be passing a bill which 11 out of 13 members of the committee said should be passed when they voted to report it. It is true that some said additional provisions covering other subjects should be included in the bill; but, as a result of the give-and-take process during the weeks of work by the committee, there came forth a bill with which a very preponderant majority of the committee found itself in agreement.

I feel that if the desire is to write some good labor legislation on the statute books, the Senate should take the committee bill and stop there. It should accept a report which 11 members of the committee believe represents a bill so good that they could vote for it. In fact even though some members of the committee want additions to it they are willing to admit on the floor of the Senate that if the bill in its present form should be passed it would be very helpful in the promotion of harmonious industrial relations.

I think a difficulty arises when an effort is made on the floor to go over the head of the majority of the committee with a series of amendments. I do not question the right of Senators to propose the amendments but, in my judgment, by so doing a division is created in the Senate which will make it very difficult if not impossible to override a veto if the President should decide to veto the bill as amended.

What I fear is that our committee bill will be amended in such a way on the floor of the Senate as to make it necessary for some of us to vote against the bill in its final form as it leaves the Senate. The next step in the process of trying to secure final passage of workable legislation will be to send whatever bill is passed in the Senate to conference with the House. If we pass a too drastic bill—and the amendments proposed by the Senator from Ohio [Mr. TAFT] and the Senator from Minnesota [Mr. BALL] are too drastic, in my opinion—we will be in a weakened position in conference because in all probability the House will want to add to any bill we send to conference some of its extreme proposals. When such a bill comes back to the Senate from conference, I think there is a very great possibility that not even a majority of the Senate will go along with such legislation. At least, I am going to continue to hope that sooner or later a majority of the Senate will come to appreciate, more fully than I fear it does at the present moment, the serious mistake that will be made if we finally vote for legislation that contains the amendments now pending in the Senate and the even more extreme proposals of the Hartley bill.

However, if the Senate should vote to approve the type of conference report I have just described, the bill will then go to the White House for consideration by the President as to whether he should sign it or veto it. I cannot speak for the President. I do not know what he will do. However, as I said the other day on the floor, I just cannot imagine the President signing such a bill as one containing the pending amendment plus the extreme features of the Hartley bill. If he should sign such a bill, it would, indeed, be unfortunate for the economy of the country.

The placing on the statute books of such legislation would work great injury not only to the rights of free workers but to the economic welfare of industry itself. Instead of protecting the public from industrial strife, I am certain it would cause industrial strife.

Assuming that the President should veto such a bill, it would then come back to the Senate for action upon the veto. I think there are enough of us in the Senate who have no intention of making the type of mistake which would be involved in the final passage of such a bill as I have described, to sustain the President's veto. We will have to vote in accordance with our convictions and our knowledge of labor problems.

That is why I said on the floor the other day that I think when so much hard work has gone into a bill as has been put into the committee bill, and when men have been as reasonable as I think the 13 of us on the committee have tried to be, the Members of the Senate ought to try to accommodate each other on the floor of the Senate by accepting the compromises which were made in committee and pass the bill as reported to the Senate. By so doing, I think we would find ourselves in a very strong position in conference, too.

I am afraid that the result of adding the amendments would be most unfortunate. I do not think the votes are available in the Senate to override a veto of a bill with the amendments in it. I say that, if I can count noses accurately, though I have been working so hard on this matter, Mr. President, I sometimes wonder whether I can even count noses any more, especially after the vote on day before yesterday. I comment on that vote by saying that it was a surprise to me in view of the fact that so many of my colleagues on this side of the aisle had indicated a different attitude by their actual votes in the Committee on Labor and Public Welfare, or by statements made at Republican conferences. Further, many of my Republican colleagues came to me in private and said to me, "Wayne, you are right about the principle of not having an omnibus bill but rather seperate labor bills." I am becoming used to being told on many of those controversial issues that I am right as a matter of principle, but dead wrong as a matter of politics. Apparently I was dead wrong as a matter of politics the other day when I made the motion to recommit, with instructions. But time works wonders occasionally, Mr. President. I do not believe that time will prove me wrong on the principle which I advocated. I did not go along with party regularity at that time. I shall never go along in the name of party regularity when the policy of the party does not coincide with the public interest. But I want to plead now with my Republican colleagues for a little party regularity in supporting the report of a committee that has been worked out in in good faith and good conscience by all members of the committee. It is in line with the public interest, so it is good party regularity to go along with it.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MORSE. Yes; I yield to the Senator from Ohio.

Mr. TAFT. The Senator of course does not question the fact that five out of eight Republicans on the committee were for this amendment, and were voted down by three Republicans in combination with those who were wholly opposed to any bill at all. So that when it comes to a question of party regularity, I think the Senator's argument is not very sound.

Mr. MORSE. Of course, the Senator from Ohio has a very strange definition of party regularity, apparently, because I am willing to say that down in their hearts a majority of Senators on this side of the aisle, if they could have considered ab initio the motion to split up the omnibus bill, would have voted to split it into several parts. However the Republican Policy Committee, of which the Senator from Ohio [Mr. TAFT] is chairman, and the Republican leaders in the House got busy and took action contrary to that which would have permitted Senators to have carried out their personal convictions as to the type of labor legislation the Republican Party in the Eightieth Congress should have submitted to the President in behalf of the American people. So I want to say to my friend from Ohio that I do not think he can make much of a test of party regularity on the basis of the principle of majority rule, if he considers those two situations. I think a majority of my Republican colleagues would have preferred separate labor bills if the Republican leaders had not pushed as an issue of party regularity the omnibus bill proposal. After all, should not the test of party regularity be decided according to what is best for the party in terms of what is best for the country, rather than in terms of whether or not the leaders of the party in the Senate by an appeal to party regularity can carry enough votes in their pockets to play politics

with an issue as vital as this one. I think the procedure which has been followed in this instance will prove to be unwise, both from the standpoint of the Republican Party or of the people of the country.

I prefer my interpretation of party regularity to that which I think is implied, at least, in the suggestions of my good friend from Ohio.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MORSE. I should be glad to yield.

Mr. TAFT. I thought the Senator was appealing to party regularity to drop this amendment, and I was only answering that my appeal for the amendment is based on the merits of the amendment, because it is something against which there is no sensible argument, and because it is something which in labor relations is required to balance the similar provision in the bill against employers. If the Senator will argue on the merits of the proposition, I certainly am making no appeal on this question for party regularity. I am only asking everyone to vote on the merits of the amendments as they are presented.

Mr. MORSE. I shall deal, Mr. President, with the so-called merits of the issue, as the Senator from Ohio sees the merits of the issue, but I am not going to be diverted from at least expressing my point of view as to what I think would be good Republican Party regularity in connection with this matter. I repeat it, and then I shall move on to the next issue. I say, here and now, that just as I felt it would have been good Republican policy not to have reported an omnibus bill but separate bills based on the titles which I included in my motion the other day, so, now, I say it would be good policy for the Republicans in the Senate to say, "After all, with all the work that has been done on this bill, after reasonable men working in good faith reached fair compromises in accordance with their conscience and by a vote of 11 to 2 reported out this bill we better support it without adding to it highly controversial amendments." I think the committee bill is the bill that we should send to conference, in the hope of preserving most of it at least, and then send it on to the President. If we could do that—and I want to make my position clear—I would vote to override any veto that the President might affix to the bill. If it is not changed materially I would vote to override a veto because this is a good bill in its present form. What I am saying, in essence, is that, as one member of the committee, I have tried to modify my views in a great many respects so as to bring about the passage of a bill which would be very constructive in the solution of labor problems.

What I fear will happen is that all the work we did will go for naught, and the Senate will pass a bill for which a good many of us cannot vote and, if it should be vetoed, then a good many of us will have to vote to sustain the veto. I do not like that. If the Senator from Ohio thinks I do, he is mistaken. If the Senator from Ohio thinks that I particularly enjoy finding myself on labor issues in a position apparently out of step with the leaders of my party in the Senate of the United States, he is very much mistaken. I would like to support a sound Republican labor program but the Senator from Ohio is not now proposing a sound labor program.

But there is one thing I cannot forget, one thing I cannot put into the background, and that is my experience in the field of labor relations. Out of that experience and out of the cases I have handled in the field of labor relations I have reached the honest conviction that if we go further than the bill as reported by the committee we will not help promote harmonious industrial relations. Rather to the contrary, we will continue the present conditions of strife and strain and stress which are doing such damage in the field of labor relations to the economy of the country. That is the only reason why I say to my friend from Ohio that I am making this plea this morning out of my conviction that it would be good Republican policy, it would be good for the country, it would be constructive so far as labor relations are concerned, if we went forward with this bill without amendment. I care not how sound an argument may be made for certain amendments to the bill, let us forego any changes in it, write it on the statute books as it was reported by committee and see then what the effect will be after a year of actual operation.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. TAFT. Am I to understand the Senator to suggest that because I thought the bill was inadequate I should have voted against it if I wanted to bring up any additional proposals in the Senate?

Mr. MORSE. Oh, not at all. As I have said, I recognize the right of the Senator from Ohio to offer any amendments of the bill he wants to.

Mr. TAFT. Yes; but the suggestion is that because we voted for the bill, therefore we cannot deal with additional problems which were before the committee, fully considered by the committee, and I suppose in at least a dozen instances in the committee, three Republicans and four Democrats, who now appear to be absolutely opposed to any bill at all, voted us down time after time by a vote of 7 to 6. Does the Senator suggest that under those circumstances I should take the position that the Senate should not pass on four important matters voted down without any compromise? The committee never compromised on them. It voted against them to the last. The only compromise suggested, as I recall, was that we should vote finally for the bill. I have no objection to the bill, only it does not cover three or four matters which are vital, in my opinion, to any solution of the problem of labor relations. I can see nothing in the Senator's suggestion that here is a compromise to which we ought to agree. The bill was no compromise. We were voted down time after time by a minority of the Republican Senators, and other Senators who were absolutely opposed to any bill at all.

I think the Senator's suggestion that the Senate itself should be deprived of an opportunity of voting, or determining its own opinion about a matter in which there was as close a vote in the committee, is absolutely contrary to the legislative process and to the free right of Senators to express their own opinions.

If I should urge the withdrawal of the pending amendment I do not know whether the authors of the amendment would favor such action, and if they should favor it, I suppose other Senators would offer amendments of the same type; in fact other Senators have offered amendments far more drastic than the amendments proposed by a minority of the committee.

Mr. IVES. Mr. President, will the Senator yield?

Mr. MORSE. I want first to reply to the Senator from Ohio, and then I shall yield.

I wish to make two points in reply to the Senator from Ohio. In the first place, I think he knows that no one is going to put any words in my mouth. I am perfectly willing to let the recorded transcript stand as I made my statements this morning. At no time have I suggested that the Senator from Ohio is not entitled to do exactly what he has done in regard to these amendments. He is perfectly welcome to offer any amendment he wants to, and I would not take that right away from him. I am saying, however, that in view of the fact that the committee has reported as good a bill as the one which is now before the Senate, which the Senator from Ohio admits, insofar as it goes, is a good bill, and in view of the situation which exists in the Congress in regard to labor legislation, considering the House action, considering the possibility of a veto, considering the vote situation in the Senate, I think that this year we should stop with this bill. Let us put this bill on the statute books and see how it works before we consider amendments. If the Senator from Ohio would go along with us in that program, I believe that in the long run it would prove to be the best policy for the country. Of course, this is a matter of prediction, and one should not try to be a prophet, but I believe that in the long run such action would result in more sound labor relations than will be the case if—and I underline the word "if"—if we end up with no legislation at all.

The second point I want to make in my reply to the Senator from Ohio is that I am willing to let the record speak for itself as to whether we compromised. We compromised in a great many ways. We compromised on a multitude of points. In this particular instance the Senator from Ohio, and the Senator from Minnesota, as I recall, wanted this amendment. We could not reach any compromise on that point, and a majority of the votes in the committee were against adopting the amendment.

Mr. President, I never seek to speak for anyone else, but I think the Senator from Ohio will let me speak for him when I say I am sure he does not question that there were many compromises made in

the Committee on Labor and Public Welfare when considering this bill. Many compromises were reached under the persuasive arguments of the Senator from Ohio himself, agreed to by the Senator from Oregon, and the Senator from New York [Mr. IVES]. I certainly have had no similar experience in the limited time I have been in the Senate to observe the working out of fair and reasonable compromises in connection with proposed legislation of such vital concern to the country. I tell the Senate that the bill is the product of compromise and naught but the product of compromise. It is not anything else but a series of compromises, and it ought to be. On March 10, when I addressed the Senate at length, I said that that was the type of bill which should be reported and passed.

Hence I am at a loss to understand the Senator from Ohio when he seems to imply that the bill is not the result of compromises. The fact that he was not able to work out a compromise on his proposed amendment does not change the fact that on many issues compromises were reached. Nor does it change this important fact that the rest of us on occasion agreed to drop some of our proposals for inclusion in the bill. However, we are not proposing additional amendments to the bill simply because we did not have our way at all times in committee.

I shall move on to the next point. I believe the RECORD has been made clear, at least with respect to the difference of opinion the Senator from Ohio and I may have on the first point which I advanced as a reason for adopting the bill as we have reported it without change.

Mr. IVES. Mr. President, will the Senator yield?

Mr. MORSE. I now yield to the Senator from New York.

Mr. IVES. Mr. President, I simply want to clear up one point in which I seem to be concerned, and that is that with respect to my own position, the action in committee was a matter of compromise and a matter of yielding. I recognize that the bill as it now stands is not a perfect bill. I know that the junior Senator from Oregon feels the same way about it. I fully concur in what he has had to say about the question of compromise.

As to the Senator from Ohio, perhaps he has not compromised on some points, but I want to say here and now that he has been extremely fair all the way through in the way in which he has considered the whole matter, and I have nothing but commendation for his attitude and position.

I feel, however, that it is most unfortunate that by indirection at least the idea seems to exist here that any Democrats who voted with the three Republican Senators against certain provisions in the bill as it now stands were in favor of no legislation at all. That was not my understanding of the situation at any time. The very fact that an amendment is allegedly being prepared which, I assume, may be offered in substitution of the bill we are now considering—an amendment which in itself is a bill—and which it is alleged would go to a considerable extent in meeting some of these problems, would indicate that they, too, realized the situation with which we were confronted.

In that connection, Mr. President, I want to point out one thing which has dominated my own attitude throughout the consideration of the proposed legislation, and that is that partisan politics has no place in the consideration of this matter. It would be most unfortunate if such a situation should develop. We should settle this question on the basis of its own merits. We are never going to arrive at a sound solution by any other process. That has been the attitude I personally have taken, and I think it has been the attitude which those voting as I voted in the committee have taken in the consideration of the pending bill.

I thank the Senator from Oregon for allowing me this time.

Mr. TAFT. Mr. President, will the Senator yield for one clarification?

Mr. MORSE. I yield.

Mr. TAFT. With regard to the question of compromise, we might divide it into several categories. There were a number of matters which were argued, and on which a compromise was reached. There were a number of other matters on which argument was made and no compromise was reached, but we were voted down 7 to 6. When such matters were of lesser importance, we did not press the question, but accepted the decisions as they came.

As to these four particular matters, there was no compromise; and there certainly was no compromise on the bill as a whole at any time. We are merely presenting one of the four more important matters on which there was no compromise in the committee, and on which we were voted down by a vote of 7 to 6. If the Senator from New York has not understood the attitude of the Democrats who voted against certain amendments, he might read the minority views, which clearly show that so far as the Senator from Florida [Mr. PEPPER], the Senator from Montana [Mr. MURRAY], and the Senator from Utah [Mr. THOMAS] are concerned, they are against any legislation dealing with labor relations.

Mr. MORSE. Mr. President, I should like to move on to my next point. Commenting on what the Senator from Ohio has just said, I cannot quite follow his reasoning on the compromise point. We are dealing with a bill which has a multitude of points in it. The Senator says, in effect, that he was defeated on certain points. On those points there was no willingness to compromise or modify. We could not get together on those points. There was no compromise, and he was voted down. That is a statement of fact.

The next jump in his reasoning by way of inference is that because of that fact the bill itself is not the product of compromise. There were a great many points on which the Senator from Ohio won in the committee, in that he talked us into modification of language. I think he not only was persuasive when he did so, but he was sound, and we went along with his sound proposals for compromise. However, a bill does not have to be compromised as to each one of its points to be a bill which was produced as the result of fair and honest compromise.

To say that there are some points in the bill that were not modified in the committee discussion certainly will come as no surprise to Members of the Senate. I am sure that Senators would be surprised if every single line and thought in a bill were modified in some respects during committee discussion and debate. If the Senator from Ohio means a compromise bill in that sense, it is not a compromise bill. No such bill will ever come on the floor of the Senate compromised in that fashion.

As I have previously stated, the bill in its totality is the product of reasonable minds trying to seek conscionable compromises in an effort to bring forth the best possible final action.

One further point, and then I must move on. It is a slight point, but one that needs to be made clear for the record. One of my colleagues said to me the other day, "How do you explain the fact that the Senator from Montana [Mr. MURRAY] and the Senator from Florida [Mr. PEPPER], who voted with you in the committee many times when the vote was 7 to 6, left you when it came to the final vote?" Let me say for the record—and I am confident that the Senator from Vermont [Mr. AIKEN] and the Senator from New York [Mr. IVES] can underwrite with absolute certainty what I now say—that at no time was there any so-called understanding between the Democratic members of the committee and the Republican members of the committee as to the type of bill we should report. In fact, I had only two conversations with Democratic members of the committee aside from discussions with them in full committee meetings. I am perfectly willing to have the RECORD show what I said in those conversations. I said, in effect, "I hope you gentlemen will give careful thought and analysis to the proposals which the Senator from Oregon and the Senator from New York are making for labor legislation which we think would be sound and constructive. We hope that you will at least study them; and if you can agree to the merits of our position, we hope that you will approve our recommendations."

As I understand their position—and they can speak for themselves—they found themselves in agreement with us on a great many points, and so voted. They found themselves in disagreement with us when they came to vote upon the bill as a whole, and they so voted. But let the RECORD be perfectly clear that there was no collusion, no understanding, no "gentleman's agreement" or any other type of agreement between the Senator from Montana, the Senator from Florida, and the Senator from Oregon, or, so far as I know, any other Republican member of the committee. That is why, in the Republican conference, when the question was put to me directly by the Senator from Ohio, as to whether I thought the Democrats would vote for reporting the final bill from the committee, I said "I do not know. I should be surprised if they did not, because all I can see from their discussion and action in committee is that they agree in the main with the principles for which I am

fighting in title I, and the principles for which the Senator from New York [Mr. IVES] is fighting in the Ives bill." I want the RECORD to show that.

Mr. President, it is important, in considering the proposal made in the pending amendment, which seems so fair and plausible on its face, to consider the history of identical proposals.

In 1932, when the Congress was considering the bill which was subsequently enacted as the Norris-LaGuardia Act, it was proposed that the bill in its statement of policy should provide that employees have the right of self-organization free from interference, restraint, or coercion from all sources. This proposal was made by Walter Gordon Merritt, counsel for the League for Industrial Rights, an employers' association, before the House Committee on the Judiciary. The proposal was not adopted.

When the National Industrial Recovery Act was being considered, Charles R. Hook, president of the American Rolling Mills, suggested that section 7 (a) of the National Industrial Recovery Act be amended so as to prohibit coercion from any source. This proposal was not adopted.

In the Seventy-third Congress a proposal was made that the Railway Labor Act be changed so as to accomplish a similar purpose. Again the suggestion was not adopted.

In 1934 the Senate was considering the Labor Disputes Act, which later became the National Labor Relations Act. James A. Emery, general counsel of the National Association of Manufacturers, contended that the bills should be revised to prohibit interference, restraint, and coercion from any source. Both the House and the Senate committees rejected the proposal.

Later, when the Wagner bill was being debated on the floor of the Senate, an amendment was proposed making it an unfair labor practice for any person to coerce employees in the exercise of their rights to self-organization. The proposal was debated and the amendment rejected by a vote of 50 to 21. Interestingly enough, the yea-and-nay vote shows that some Senators who favor the pending amendment voted against a similar amendment in 1935—see volume 79, part 7, page 7675, of the CONGRESSIONAL RECORD of the Seventy-fourth Congress.

It would seem clear that when a proposal has been considered so often by Congress over a period of 15 years and consistently rejected, it should be viewed with a great deal of skepticism.

Let me point out that basic to the whole question which we are considering is the problem of organizing unions, the problem of going into a plant and trying to persuade and educate fellow workers to an understanding that their best economic interests can be promoted through unity, through unionization. I do not have to tell my colleagues in the Senate that organizational drives are rather strenuous affairs, because antilabor interests are at work in America against unionization. It is a sad commentary, in my opinion, that there are still too many employers in America who would like to see no unions at all. Oh, yes, they pay lip service to collective bargaining and to unionization. Such employers pretend that they want free men to have the right to form unions; but I say, on the basis of my experience, Mr. President, that too frequently such employers mean that they want to see workers organize only in weak unions, not in strong unions; not unions which can meet the economic competition with employers when it comes to collective bargaining. They want weak unions, and the weaker the better. In fact, one great industrialist in this country—and I am happy that his attitude does not represent that of industrial statesmen generally, because they think and talk in different terms—one industrialist, somewhat in the heat of anger, I admit, and in criticism of my stand on labor matters, told me that what we need is a depression to put unions into their proper place. It was his argument to me that unemployment and some empty bellies would teach workers to be thankful for their jobs. He argued that if we had to have a depression to put unions in their place, the sooner we had it the better. I am afraid, Mr. President, that he is not singular in that point of view. I am afraid there are too many employers who think that their long-time interests will be served by a successful drive now against unions while the public is aroused, and, may I say, for the most part justly aroused, against certain labor abuses. However, in contrast with such antilabor employers, I would that more industrial statesmen in America would come forward now and say publicly what many of them have told me privately about the rights of labor. They have told me that it is not in the interest of our private enterprise system to pass in the Eightieth Congress drastic labor legislation which will force labor to do but one thing. Let us keep that course of action in mind at all times.

What is it? This is my judgment on labor's course of action if we pass such amendments as are pending, which I give to you for whatever it is worth. Time will have to pass judgment on whether or not I talked fact or fiction here this morning. I am willing to let time pass upon that question. But, in my judgment, if we adopt the pending legislation with drastic amendments added to it we will set labor back on its haunches for a couple of years. I should be the first to say that that would have a salutary effect, in that it certainly would make very clear to certain labor-union leaders who have been guilty, in my judgment, of unpardonable abuses in some instances, that an aroused public seeking to protect itself, will strike back, sometimes too drastically for the best interests of both labor and the public itself. But that will be only a temporary thing, because I think there is a great psychological and physiological law that as legislators we should not overlook, namely, that we cannot maintain a mass of people, any more than we can maintain an individual, for very long on a high-pitch emotional attitude. There is always a relaxation from a high-pitched emotional attitude; and if we make a mistake in passing legislation here based upon emotional attitudes, the legislation will still be on the books after the public has come to realize that it went too far in passing drastic labor legislation. The public, which is basically fair, will regret the passage of unfair legislation even though it wants to discipline certain labor leaders for action contrary to the public interest. What shall we do with the law after public support of it begins to weaken? I wish to state what I think will happen then. When more and more people on the sidelines begin to be sympathetic with labor's protests against and resistance to unjust labor legislation, that legislation will soon become unworkable and unenforceable. Great shifts of public opinion will occur, carrying with them significant consequences, both politically and in the field of law enforcement. Resentment will be developed against employers and businessmen and more fuel will be added to the fire of class consciousness in America. Labor will carry on an intensive campaign against such unjust legislation and against those responsible for it, including the political party most responsible for it.

Mr. President, I never have and I never shall condone defiance of the law but neither you nor I, Mr. President, nor the entire Congress is vested with the power to change human nature by the mere passage of a law. Workers being human beings are not going to take kindly to legislation that they are satisfied is unfair and unjust and so they will unite in action which seeks to undermine, defy, and make unworkable such a law. The creation of such a situation as that in our industrial order will produce anything but industrial harmony.

So at least I want the RECORD to show that at this hour I said in the Senate of the United States that the passage of too drastic labor legislation by the Eightieth Congress will leave the workers of this country with but one course of action to follow, namely, to dig in for the next decade, if necessary, to see to it that any unjust and unfair labor law becomes impossible of enforcement.

Is that a revolutionary statement? Not at all. It is the pronouncement of a great Jeffersonian principle of democracy, Mr. President. Thus Jefferson said:

> The mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God.
>
> What country can preserve its liberties if its rulers are not warned from time to time that the people preserve the spirit of resistance?

Let us not forget that when we pass a law which results in injustice, a law which stirs up the opposition of a large minority of our people, the workability of that law becomes an impossibility. Labor will feel that the only way to educate the public into an understanding that such a law is unworkable is to make it unworkable. So I say—and I use my words advisedly, being aware of all the misinterpretation that can be made of the sentence which I now utter—that one of the great rights of a free people in a democracy is to resist an unjust law. They always will so long as they have any freedom left.

Let it be understood that I neither condone nor advocate resistance to nor defiance of law. I only point out that in the last analysis that right is vested in free people whenever rightfully or wrongfully they reach the conclusion that the only way they can get justice is to challenge the enforceability of an unjust law.

We saw it in a mild way in prohibition days. It took a variety of forms. Some communities boasted that juries would not convict for violations of the prohibition law. In other communities, law-enforcement officers looked the other way at violations because they knew that a large segment of the community was completely out of sympathy with the enforcement of the law. In some areas the unenforceability of the law manifested itself in exceedingly undesirable ways that at times took on the characteristics of almost open defiance of law enforcement.

The only point I am seeking to make is that if we pass labor legislation which increasing numbers of workers in this country and their sympathizers consider to be unfair, unjust and exploiting in its effects we are certain to see such a law increasingly challenged by a variety of forms of resistance. I do not think that there is any legislative statesmanship involved in the passage of such legislation. I believe that the type of labor legislation that is now being forged in the Congress of the United States will produce great labor strife in this country resulting over the years in an organized determination of an increasing number of workers to challenge the administration of such a law. As I see it they will do it in a variety of ways including hundreds of cases of litigation so long as they see any chance of knocking out the law through litigation. Of one thing I think we can be certain and that is that it will all add up to labor trouble and not to labor peace. It will all add up to more economic headaches for employers, not less.

Then, too, I think it needs to be emphasized at this point in the debate that American employers should never forget that it is much easier to enforce legislation against a few employers than it is against hundreds of thousands of workers that think that a certain piece of legislation is unjust. This matter of drastic legislation works both ways. It can be used to cut down the rights of employers as well as the rights of workers but there is this great difference and that is it can be used much more effectively against employers than it can against many thousands of workers. What I am trying to do in the legislation that I am fighting for is to so amend the Wagner Act so that its application will be equalized in its effects upon labor as well as employers but in a manner which will be workable. I think that is what American employers want and I think that is all they want.

However, I am satisfied that those who are proposing extreme legislation in this Congress are not speaking the voice of the overwhelming majority of American businessmen and industrialists. It is because I want to maintain a system of Government by law which can be enforced that I am pleading with the Senate today not to pass a type of labor legislation which will cause American workers and their sympathizers to resort to all available means, methods and devices for undermining the enforceability of a bad law. Let us not pass legislation which is so unworkable and unenforceable that its injustices will cause free men to refuse in the last analysis to comply with it.

As to what will happen by reason of the type of legislation which apparently will emerge from conference and will pass the Congress and go to the President, I predict that, if he signs it—which I doubt—it will result in labor in this country digging in along a united front for as many years as may be required to prove to the American people that such drastic legislation cannot be shackled upon free workers.

That, together with my great desire to see government by law carried out in its most majestic sense, is why I am pleading here today for the passage of a bill which will be workable, for the passage of the bill which has come out of the committee and which I think will bring great relief to the employers of this country who have suffered from labor abuses.

The ACTING PRESIDENT pro tempore. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, does that mean that I have been allotted a certain amount of time?

The ACTING PRESIDENT pro tempore. As the Chair understood it, the Senator was allotted 45 minutes.

Mr. MORSE. Mr. President, in the absence of the Senator from Florida I shall take the privilege of yielding myself some more time, and I shall continue to talk until the Senator from Florida appears on the floor, unless I finish before that time. I hope I shall.

The ACTING PRESIDENT pro tempore. May the Chair suggest to the Senator from Oregon that he use half the time.

Mr. MORSE. Yes; I shall speak within the amount of time remaining.

Mr. TAFT. Mr. President, I ask unanimous consent that in the absence of the Senator from Florida the time be allotted by the Senator from Oregon on that side of the question.

The ACTING PRESIDENT pro tempore. Without objection, the order is made.

Mr. MORSE. With the understanding that I shall hand the privilege back to the Senator from Florida as soon as he arrives.

Turning to the amendment, Mr. President, I desire to point out:

First. That coercive practices by unions or their agents, which constitute a violation of local criminal laws, are and should be subject to correction by local authorities. No substantial evidence was presented to the committee that local police agencies had been lax or derelict in their duty of enforcing local and State police measures. I am one who believes—and this point was made by the Senator from New York [Mr. IVES] in his argument—that upon a showing of force, or coercion, or intimidation the local police authority should exercise the primary jurisdiction over that type of practice.

Second. The proposal before us would tremendously extend Federal power into areas that have heretofore been regarded as the sole concern of State, county, and local authorities. It would require a tremendous expansion of the investigative staff of the board and make the board into a national police court.

Third. The proposal is not necessary to insure that employees can exercise a free choice in the selection of representatives. I say that because other sections of the bill make it possible for employers as well as employees to obtain elections. The bill also defines as unfair labor practices boycotts, including organizational boycotts, and jurisdictional strikes which probably most frequently give rise to coercive union practices. Hence I say, Mr. President, that to the extent that it is feasible and practicable to check union abuses through the procedure of an administrative law tribunal, such as the National Labor Relations Board, we have done so in our committee bill. To place upon the National Labor Relations Board the task of functioning as local police officers is both unwise and impractical.

I think the amendment will accomplish only one purpose and that is to make it increasingly difficult to carry on honest, good-faith organizational drives free of coercion because the amendment will provide fertile opportunity for the bringing of false allegations and false charges against the union in an endeavor to prevent it from gaining that support of public opinion in a community, which is always the most effective organizational aid which a union can have. Here again the Senate ought to get down to the grass roots of a union organizational drive and take cognizance of what is necessary for a successful drive. The greatest aid a union can have is a sympathetic and understanding community; but, mark my words, this amendment will provide antiunion employers and their company-dominated workers ample opportunity to poison public opinion in a given community by seeing to it that false charges are brought before the National Labor Relations Board charging coercion and intimidation. The bringing of the charges will cause a natural slowing up of the organization drive. It will put the union on the defensive. It will play into the hands of dilatory tactics and delay.

The ACTING PRESIDENT pro tempore. Will the Senator from Oregon suspend so that the course of procedure may be determined? The Senator from Florida has entered the Chamber, and the Chair will state to him that during his absence, by unanimous consent, the time allocated to his side was placed under the control of the Senator from Oregon.

Mr. MORSE. I wish to very quickly make this statement to the Senator from Florida. I have found myself involved in a running debate, which was perfectly proper, because I desired to clarify the points that were raised by my

colleagues. However, I have not concluded the formal remarks I had prepared on the pending issue. I think it will take me about 20 minutes more. Will the Senator from Florida yield me that time?

Mr. PEPPER. With pleasure. The Senator from Wyoming has expressed a desire to speak, but I think perhaps his remarks might be deferred until later this afternoon.

Mr. MORSE. The Senator from New Mexico [Mr. HATCH] wishes to speak on the subject, and I want him to have some time, and I shall conclude my remarks just as rapidly as I can, but I do want to get them into the RECORD.

The ACTING PRESIDENT pro tempore. The Chair informs the Senator from Florida that there are about 41 minutes remaining of the hour and a half to which his side was entitled.

Mr. PEPPER. I think that if the Senator from Oregon takes the 20 minutes he has indicated he desires, that will be all right.

Mr. MORSE. I thank the Senator very much.

Mr. President, let us consider how labor organizations and their agents may coerce employees.

In the first place, they may, and unfortunately sometimes do, engage in physical violence.

Secondly, they may use threats of violence.

Third, they may engage in name calling, such as terming persons "scabs," "strike breakers" or other opprobrious names.

Fourth, they may use the closed shop or contracts providing for other types of compulsory membership as a means of bringing economic pressure to bear upon employees.

Threats of violence are adequately covered by local and State criminal law. The same applies to name-calling, and use of other language that may be considered to interfere with or coerce employees. The closed shop is abolished under the bill. Moreover, the union shop is closely regulated by section 9, and by section 8 (b) (2). Unions cannot obtain a union shop contract unless a majority of the employees in the bargaining unit have voted in favor of such a contract in an election conducted by the NLRB. That is quite a different thing from an election conducted by the union itself. Once a union shop contract is secured, the union cannot deprive an employee of his job except for clear and specific reasons. Membership must have been available to the employee on the same terms and conditions generally applicable to other members. During the period of the contract the employee can be deprived of his job as the result of action of the union only if he fails to tender the regular dues and initiation fees required, or if he engages in activity on behalf of another labor organization when the contract still has a substantial period to run.

It seems to me that these regulations of the compulsory membership contract effectively free employees of any real possibility of economic coercion by unions, and are a complete answer to the pending proposal. So far as physical intimidation and coercion are concerned, I repeat the suggestion made earlier, that we must have local police forces take over questions of breaches of the peace. We certainly do not want the Federal Government, either through the National Labor Relations Board or any other agency, substituting itself for the police activities of the local law enforcement officers of our various communities.

It seems to me that these regulations of the compulsory membership contract effectively, as I have said, free employees of any possibility of economic coercion by unions, and are a complete answer to the pending proposal.

It must be recognized that a union or its agents are in an entirely different position from that of the employer insofar as being able to make effective threats of economic coercion that do not constitute infractions of local criminal law is concerned The employer has it within his power to deprive the employee of his job. That is the greatest economic weapon, coercively used, that could be leveled by an employer against a worker. In this connection it is worth noting that after almost 12 years of administration of the Wagner Act, the most frequent type of unfair labor practice charge brought is the one alleging discrimination by employers against employees for engaging in union activity. This fact bears out what I said earlier in my remarks, that there are still too many employers in America who do not want to see their plants unionized, who do not want to put into practice their professings about unionization. Unions do not have such job control over the workers. They cannot take the workers' jobs away from them especially in view of the protection we have provided under our bill as far as the closed shop is concerned. However, employers do have the power of work or no work constantly hanging over the worker's head.

To the extent that there have been abuses by unions of the closed shop, the bill in other sections, as I have stated, provides ample protection against such abuses. Consequently, statements by union agents threatening employees with loss of their jobs if they do not join the union will be ineffective and empty threats. In any case, the employer will be free, as he is now, to answer false statements and extravagant claims.

In his statement last Friday the Senator from Minnesota stated that the purpose of the pending amendment was to make unfair labor practices of false promises and false statements by unions. The assumption seems to be that if a statement is false it is also coercive. It seems to me that it is too clear for argument that a statement or argument is not coercive merely because it is false.

I certainly hope, Mr. President, that we have not reached the point where it is going to be deemed desirable to have the National Labor Relations Board take jurisdiction of complaints as to whether a union's statements at the time of organization are true or false. We certainly do not want to make the National Labor Relations Board the guardian, as it were, of the intellectual integrity, at the time of an organizational drive, of the statements made by either labor or employers.

In a case involving the validity of a Board order the Sixth Circuit Court of Appeals ruled that an employer's statement did not become coercive because it was inaccurate. The court found, contrary to the Board, that the employer was justified in believing and stating that the union had been responsible for a protest to a State agency, which resulted in the agency's rescinding its approval of overtime. The court said:

> The right of free speech does not depend upon the accuracy of the ideas expressed. (*N. L. R. B. v. Brown-Brockmeyer Co.*, 143 F. (2d) 537, at 542.)

The Eighth Circuit Court of Appeals has correctly stated that—

> The trend of judicial decision since the Virginia Power Co. case supports the view that an employer may disseminate facts within the area of dispute, may even express his opinion—

Which he certainly should be allowed to do—

> on the merits of the controversy even though it involves labor organizations, may indicate a preference for individual dealings with employees, may state his policy with reference to labor matters, and may express hostility to a union or its representatives. (*N. L. R. B. v. J. L. Brandeis & Son*, 145 F. (2d) 556, 564.)

Those are not my words, Mr. President. Those are the words of the Circuit Court of Appeals, as found in the Brandeis & Son case.

The court went further, and in overruling the Board's contention that "the repetition and vehemence of statement" rendered the employer's statements coercive, stated:

> Certainly effectiveness of statement is not a test of its constitutionality; neither is accuracy of the views expressed. * * * One may descend to vilification, false statement, or exaggeration and still be protected in his right of free speech. (Id., p. 566.)

Thus, Mr. President, court rulings make it plain, it seems to me, that the pending amendment could not properly be applied to punish false statements by union organizers.

Moreover, it is rather alarming to contemplate a situation in which the National Labor Relations Board will be deciding the truth or falsity of employer and union propaganda used in connection with bargaining elections and organizational campaigns.

They are no tea party affairs, as I have indicated before, Mr. President. There is a lot of puffing that goes on, such as is typical of American advertising and salesmanship, as practiced in all the leading periodicals by the great concerns of America when they offer their goods for sale. I have no doubt that many puffing statements are made by union organizers in order to persuade workers to participate in unity of action through a union. But certainly I do not want to see the National Labor Relations Board made the police organization for the United States, to pass on the statements or actions made or taken by either employers or union organizers. The real function of the Board should be to make its election machinery speedily available so that employees can make their decisions by secret ballot, so that employers will know where they stand in this union

organization business, because let us not forget that it is not only the workers who suffer from long delays in getting a certification of a collective-bargaining representative, but the employers suffer, too. Employers suffer because during months of delay in obtaining a final certification production usually declines in the factories, as the workers and the employers carry on their campaigns for obtaining or preventing the union organization of the plant.

The Senator from Minnesota mentioned the case of a small employer in New York whose employees had been pushed around and threatened by a so-called goon squad in an effort to force them to join the union. Such practices, of course, are not to be condoned, and the junior Senator from Oregon condemns them. It would be much more effective, however, if the local police were called in to correct such a situation, rather than to make it possible for the employer or the employees to bring unfair labor practice charges before the NLRB in connection with disputes of that type.

Moreover, under the present bill, the employer in that situation could petition the Board for an election to determine whether or not his employees wanted the union to represent them.

My good friend the Senator from Minnesota also called attention to a letter he had received from an employer in Salem, Oreg., my home State, who operated a small sporting goods store and employed only one employee. This employer stated that the labor organizers had forced him and his employee to sign up by threatening personal violence.

Here again such threats can be corrected under existing State laws. If measures sufficient to accomplish that result are not on the statute books, the States should pass police measures to correct that type of abuse. In any case, I seriously question whether such a small enterprise, consisting of the employer and one employee, would be subject to the National Labor Relations Act, since it would appear to be a business entirely intrastate in character.

That point must not be overlooked, Mr. President, because when all these cases are put together, I think it will be found that an overwhelming majority of them, even of those in which it is alleged that there have been intimidation and coercion, are cases which do not involve interstate commerce at all, but involve intrastate commerce, and fall, not within the jurisdiction of the National Labor Relations Board, but within the jurisdiction of State law.

Hence, some of the examples that have been cited by my colleagues who are proponents of the amendment now before the Senate are examples which would not possibly be touched by the amendment, even though the amendment might be made workable.

The Senator from Minnesota also stated that, so far as he knew, the Board—

> Has never set aside an election because of any kind of action taken by the union in its organization campaign, regardless of how coercive or threatening it may have been. (CONGRESSIONAL RECORD, April 25, p. 4017.)

Mr. President, I wish to point out that the Board has set aside elections because unions have engaged in improper action. For example, in the Sears Roebuck case in Minneapolis—47 N. L. R. B. 291—the Board set aside the election on the ground that the CIO union had issued a campaign dodger improperly indicating on its face that the Board was in favor of the CIO.

In other cases the Board has set aside or postponed elections where the union has engaged in serious misconduct. See, for example, *National Tea Company* (41 N. L. R. B. 774), and *LaFollette Shirt Company* (65 N. L. R. B. 952). In the *Kilgore Manufacturing case* (45 N. L. R. B. 468), the union engaged in the following type of conduct: Its organizer was present at the polling place, and spoke to one of the voters waiting in line to cast his ballot. The Board said that violated the assurance that the election would be free of any undue influence; and because of the fact that the union organizer had gone beyond the so-called neutral boundary line, the election was set aside, even though the union had won it.

Other examples given by the Senator from Minnesota indicate, in my judgment, that there is no necessity for adopting the pending amendment in order to settle the problems those examples present. Thus, on page 4017 of the RECORD, he cites an instance in which the teamsters' union was found guilty of contempt of court for picketing an establishment in an effort to coerce employees into joining the union. If such activity constitutes a violation of State law, as it apparently did in the case cited, there seems to be no occasion for adopting the amendment, and thus requiring the NLRB to correct the same abuse.

The Senator from Ohio suggests that a union or its agents should not be free to threaten employees with loss of their jobs if they do not join the union. He points out that if an employer made such a threat he would be committing an unfair labor practice, and, consequently, similar threats by a union should constitute unfair labor practices. But, as I have endeavored to point out, the employer is in a much better position to make good his threat. He has it entirely within his power to terminate the employment of the worker. On the other hand, the union obviously has no such power when it does not have a contract with the employer, and employees would be less than intelligent if they did not recognize that the union could not deliver on its threat.

The ACTING PRESIDENT pro tempore. The Chair requests the Senator from Oregon to suspend for a moment in order that the Chair may state that the time of the Senator from Oregon has expired. However, the senior Senator from Florida [Mr. PEPPER] suggests that the Senator from Oregon may have any part of an additional 10 minutes, leaving 10 minutes remaining for the Senator from Florida.

Mr. MORSE. I thank the Chair and the Senator from Florida.

In any case, Mr. President, if the employer felt that employees were being misled into believing that the union would deprive them of a job if they did not join, the employer would be entirely free under other provisions of the bill, as well as under present Board and court decisions, to answer any such statements or claims.

In the exercise of their right to freedom of speech, employers are entirely free under present Board and court decisions, and certainly under section 8 (c) of this bill, to answer all statements or extravagant claims, and even to make derogatory statements about the union, its leaders, and its policies. Hence, I see no occasion for empowering the Board to act as censor of employer and union propaganda. Acts or threats of violence, as I have said, are prohibited by local law, and until we have had convincing proof that State and local law-enforcement officers are unable to enforce the law we should not inject the Federal Government into local police problems. With greater freedom to employers and employees to obtain collective-bargaining elections, and with the provisions in the bill defining unfair labor practices by unions, the types of coercive practices on the part of unions which presently do not constitute violations of State or local law are adequately regulated, I believe. The pending proposal, in my judgment, would only serve to create a national police force and harass unions and employees in their efforts to organize.

I digress long enough to say it would do something else. It would slow up the organizational activity of unions. There are some employers who work behind the scene when a union seeks to organize their plants. They have their own worker stooges who are encouraged by the employer not to be in sympathy with the union. They would have such workers bring false charges, which would have to be taken cognizance of by the National Labor Relations Board, resulting in a great deal of publicity as to such false charges, and making it possible to run advertisements in the local newspapers to stir up public opinion against the union. This is the way it would work in reality: the National Labor Relations Board would have under consideration a charge from X, Y, and Z, employees, that union organizers A, B, and C were attempting to use coercive methods on certain employees. What would be the effect of that? I should not have to say that the effect will be to slow up the organizational drive. So, an amendment which seems plausible on its face, I say can be, and undoubtedly will be, used as a great instrumentality for weakening organizational drives.

Mr. President, last Friday the able Senator from New York [Mr. IVES] outlined his objections to the pending amendment as it was originally proposed, and in the course of his remarks stated that the amendment was "definitely antilabor"—April 25 RECORD, page 4019—that it was "wholly out of order"—page 4021.

As I read the Senator's argument, he made four points against the original amendment:

First. He stated that it would lead to "protracted litigation, because of the difficulty of determining who are agents of labor organizations and what consti-

tutes interference and coercion"—April 25 RECORD, page 4019. I agree with him.

Second. He made the entirely valid point that insofar as the amendment covers violence and physical coercion it is entirely unnecessary as these offenses are punishable under local law. I agree with him.

Third. He stated that the amendment is impractical because the effective remedy for coercion by labor organizations and their agents is quick arrest and trial rather than an administrative hearing leading to a cease-and-desist order. I agree with him.

Fourth He argued that adoption of the amendment would require the Board to increase its staff tremendously in order to investigate countless charges of interference and coercion on the part of unions or their agents. I agree with him.

The Senator also adverted to the tremendous possibilities of abuse arising from the amendment, and suggested that the provisions of the bill prohibiting the closed shop and regulating the union shop would eliminate a great deal of the difficulty sought to be corrected by the amendment. I have sought this morning to reenforce everything the Senator from New York said on that occasion.

We now have before us a modified version of the amendment originally offered by the Senator from Minnesota [Mr. BALL], one which seeks to eliminate the words "interfere with." The effect of this would be to proscribe acts of unions or their agents which restrain or coerce employees in the exercise of their rights to self-organization. The Senator from Florida [Mr. HOLLAND], proposed an additional modification of the amendment, intended to insure that labor organizations have the right to prescribe their own rules with respect to the acquisition or retention of membership.

I wish to make it clear that I believe the modifications improve the amendment considerably. As the Senator from New York [Mr. IVES] remarked, the words "interfere with" are somewhat vague and might be construed to make it an unfair labor practice for any person to attempt to persuade another to join a union. However, I do not believe that the elimination of the words "interfere with" answers in any substantial respect the other objections which the Senator from New York made last Friday and which I have made in my speech this morning.

The amendment as modified would still lead to protracted litigation as to what constitutes restraint or coercion on the part of a labor organization or its agents. It would still invade the jurisdiction of State and local governments with regard to violence and physical coercion. It would still provide an entirely impractical remedy and would require the Board to increase its staff of investigators.

So, Mr. President, I submit that the amendment as modified in no substantial respects answers either the objections made by the Senator from New York last Friday, or the objections I am making now. I think it should be made clear, as the Senator from Ohio [Mr. TAFT] stated—April 30 RECORD, page 4271—the elimination of the words "interfere with" would not make any substantial change in the meaning. I am sure it will make no substantial change in the final effect of the amendment, should it become law. Its effect will not, in my judgment, be in the interest of good labor relations.

Decisions of the National Labor Relations Board and the courts interpreting the present phrase in section 8 (1) of the Wagner Act, which makes it an unfair labor practice for an employer "to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7" do not, so far as I am advised, distinguish between acts that constitute interference and acts that constitute restraint or coercion.

In other words, Mr. President, there are no cases holding that employer conduct amounts to interference but does not amount to restraint or coercion. Whenever the Board finds that a violation within the meaning of section 8 (1) has been committed, it finds, in the language of the statute, that by the particular acts or conduct the employer has interfered with, restrained, and coerced his employees. No court decision, to my knowledge, has undertaken to distinguish between interference and coercion.

I fear also, Mr. President, that if the pending amendment, as modified, is adopted it will have the effect of outlawing organizational strikes and strikes for recognition. In fact, it could easily be construed to prohibit all types of strikes in situations where some of the employees are opposed to the strike. In section 8 (b) (4) (B) of the bill we have made it an unfair labor practice for a union or its agents to engage in a strike or to induce or encourage employees of any employer to engage in a strike for the purpose of forcing "any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as a representative of such employees under the provisions of section 9 (a)."

On page 22 of the majority report we state that—

> It is to be observed that the primary strike for recognition (without a Board certification) is not proscribed. Moreover, strikes and boycotts for recognition are not made illegal if the union has been certified as the exclusive representative.

Thus the committee did not intend to outlaw all types of primary strikes; in fact, it was careful to point out that organizational strikes were not prohibited, because sometimes they are justified.

Since it has frequently been held that strikes are a form of coercion, it follows, Mr. President, that the pending amendment would outlaw all strikes designed to further organizational activities. While I am of the opinion that unions should utilize the election machinery of the act wherever possible, rather than resort to strike action in an attempt to solidify organization, it must be recognized that organizational strikes have a legitimate place in some situations.

So long as human beings remain human beings, so long as the various types of motivation that sometimes influence men when they believe that an employer has been unjust continue to motivate men there is going to be that type of strike. If it be sought by this amendment to outlaw it, then the Congress is only buying trouble.

I conclude by saying that I sincerely hope the Senate, by a majority vote, will reach the conclusion that we ought to go along with the bill as reported by the committee. Let us try it for a year. Let us find out whether those of us who are convinced that it will greatly improve industrial relations are right or wrong. If we are wrong, Mr. President, I shall be found ready and willing, when the Congress reconvenes next year, to compromise further, if further compromise is necessary, in order to prevent labor abuses. However, I plead with the Senate to turn down this and the other proposed amendments so that we can have a fair, just, and workable law.

Mr. PEPPER. Mr. President, will the Chair inform me how much of the time under my control remains?

The ACTING PRESIDENT pro tempore. The Senator from Florida has remaining between 12 and 13 minutes.

Mr. PEPPER. Mr. President, if it is agreeable to the Senator from Minnesota [Mr. BALL] I should like the affirmative side to use some of its time, as we would like to retain our remaining time to be used later.

Mr. BALL. I yield myself the time I may need, but I will say to the Senator from Florida that I do not think we on our side will use all our time, and if the Senator from Florida needs a little more time I think it can be arranged.

Mr. PEPPER. I thank the Senator.

Mr. BALL. Mr. President, I have listened with great interest to the address delivered by the Senator from Oregon. I was particularly interested in the early colloquy between him and the Senator from Ohio [Mr. TAFT] regarding the way the bill was written in committee and the position of the Senator from Oregon respecting amendments. It seemed to me that what he was saying in effect was that he would not accept one single change in the bill as it came from the committee; that if it were changed he would vote against it, and that he was confident the President would veto it, and that the Senator from Oregon would vote to sustain the veto.

Mr. MORSE. Mr. President, will the Senator yield for a correction?

Mr. BALL. I yield to the Senator from Oregon.

Mr. MORSE. I will permit the RECORD to speak for itself, but at no time did I say I was confident that the President would veto the measure. I do not propose to speak for the President.

Mr. BALL. Perhaps not. The Senator expressed the conviction himself that the President would veto the measure, but I agree that the Senator did not express confidence or knowledge of the President's intention.

Mr. MORSE. Mr. President, this will be my last interruption of the Senator. I think the RECORD will show that I expressed the view that the President should veto it.

Mr. BALL. I think the Senator said that also.

Mr. President, it seems to me that when Members of the United States Senate are working on legislation which

most of us agree is needed, the legislative process is one of compromising conflicting views. I know that in the 6 years I have served in the Senate I have many times voted finally for measures containing provisions which I did not like and with which I disagreed, or to which proposed amendments which I had favored had been defeated. It seems to me that to take a flat position that if any amendments, regardless of their merits or regardless of the position taken by a majority of the Senate on their merits, are adopted one will then vote against the bill in its entirety, is to take rather an intransigent position. If every Member of the Senate took such a position I do not think we could pass much legislation. It has always been my attitude that while I like my own convictions I grant that my colleagues also have plenty of knowledge and that sometimes their wisdom may be even superior to my own.

I expect to support the bill whether the amendments I propose are all adopted or not, because I believe that some major corrections in our present labor policy are essential to the welfare of the national economy.

Mr. President, I listened to both the Senator from Oregon and the Senator from Utah [Mr. THOMAS], who spoke last Wednesday on this particular amendment, and it seemed to me that they both argued from somewhat of a misconception of the basic purpose of the National Labor Relations Act which the pending measure proposes to amend. They both, it seems to me, confused the welfare and the rights of unions and the welfare and the rights of individual employees. I think very often they are two different things.

Both the Senator from Oregon and the Senator from Utah made quite a point of the fact that when the Norris-LaGuardia Act was considered in 1932, and when the National Labor Relations Act was considered in 1935, amendments similar to the pending amendment were defeated by the Congress; that in its judgment, then, such amendments were not necessary. It seems to me that that is hardly a valid argument for rejecting the amendments now.

I think one reason why we are in the present difficulties in labor relations is that we have made no change in our national labor policy in 12 years since the passage of the Wagner Act, so-called. When the Wagner Act was passed the American labor movement had a total membership of between three and four million members. In many segments of American industry it was struggling even for recognition, against tremendous odds. I can remember that at that time strikes which had continued for weeks were finally settled by the employer's mere agreement to sit down and negotiate with the union and recognize it. Now a strike is considered lost if the unions do not win at least 15 or 20 cents an hour increase in wages for the employees.

The situation has greatly changed since then. Unions in America claim at least 15,000,000 members. They hold contracts as exclusive bargaining agents for some 20,000,000 workers in American industry. They are enormously wealthy. Quite often some of the budgets of the international unions are comparable to those of a fairly good sized municipality. They have large research organizations, and some of them very large reserves. They are by no means in the same relative position in American industry which they occupied 12 years ago when Congress made its last change in the national labor relations policy.

There is no question about the fact that today individual employees are kicked around in American industry even more by unions and their agents than they are by employers. As I said, the opponents of the amendment seem to confuse the rights and welfare of the individual employee with the rights and welfare of the union. They are two different things.

The National Labor Relations Act which the pending bill proposes to amend in section 7, which the bill does not touch, does not say anything about the rights of unions. It says that—

> Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other usual aid or protection.

Mr. President, if, as has been charged on this floor—and I think the charge is true—unions today are using coercive practices in their organization and election drives, then it seems to me individual employees in the free exercise of their rights guaranteed by this act are just as much entitled to protection from such activities of unions as they are from the same kind of coercive activities on the part of employers.

I agree with the Senator from Utah that there may possibly be loopholes in this measure of which employers can take advantage to go on a union-busting campaign, and there are probably some employers who would like to do so.

In my experience—and I know many employers and union leaders—they are very much the same kind of people. In fact, they are like all the rest of us. Give either one of them too much power and they tend to be corrupted; they begin to like the exercise of power just for the sake of power. Union leaders very often tend to think a great deal more of the strength and the funds of the union which pays their salaries than they do of the welfare of the employees whom they are supposed to serve. As the Senator from Oregon said, organizational campaigns are no pink-tea parties. Many union leaders will admit quite frankly that very few American employees organize themselves. They have to be organized, and some of the methods by which unions have organized employees in recent years are all too similar to the same kind of methods by which employers a few decades ago tried to prevent employees from organizing themselves.

I should like to emphasize also that the pending amendment and all the proposed amendments to the National Labor Relations Act make absolutely no change in the duties and obligations of employers. The unfair labor practices of employers defined in section 8 (a) of the pending measure are identical with the unfair practices defined in the present law. Not one is changed. In fact, we have added one definition. We make it an unfair labor practice for an employer to violate the terms of a collective-bargaining agreement. If in spite of our care in trying to avoid it, lawyers discover loopholes in this bill by which employers can engage in a union-busting campaign, I shall be the first to try to plug those loopholes and to correct the situation by adding new definitions of unfair labor practices on the part of employers, if they are needed. I think one reason we are in trouble today is that for 12 years the National Labor Relations Act has been a "sacred cow," which could not be amended in the slightest degree. The longer we waited to change that policy and correct the situation and give the rights of employees some additional protection which clearly was needed, the tougher the job became. That is why drastic antilabor proposals are being made today. Some of the abuses of the special privileges and immunities of unions have themselves been drastic and have been extremely punitive on the employees whom the Act is supposed to protect.

For example, I have before me a clipping from the St. Louis Globe Democrat of April 18, 1947, which tells about two World War II veterans who were fired from their jobs and dismissed from the union because they refused to buy $2 tickets on a $1,700 car which was being raffled off by the union leadership to raise funds. They had jammed through a resolution requiring every one of the 7,000 members of the union to buy tickets in the raffle to raise funds for organizational purposes which, of course, they would spend. These two veterans were thrown out of their jobs under the closed union-shop contract prevailing, because they would not go along with that kind of a deal.

It is true, as the Senator from Oregon has stated, that some types of union coercion, including the violence of the mass picket line, visits to the homes of employees, such as have taken place in the Allis-Chalmers strike in Milwaukee, and other such tactics are violations of State law in almost every State. I believe that the main remedy for such conditions is prosecution under State law and better local law enforcement. But I believe that one reason why we have had weak law enforcement in labor relations is that the Federal Government, through the Wagner Act and the Norris-LaGuardia Act, has in effect taken the position—and it has been so interpreted by the Supreme Court—that no Federal law restrains labor unions in any kind of activity in which they wish to indulge, including secondary boycotts, all kinds of monopolistic practices, and clear abuses of the original intent of the closed shop and union shop.

It is no wonder that local communities and their peace officers have been reluctant vigorously to enforce law when they saw that the great Federal Government was holding the unions exempt from any kind of Federal regulation. The only laws we have had restrain employers and not unions. So it may well be

that many of the types of activities of unions which we are seeking to restrain somewhat by this mild amendment are the kind of activities which would be corrected by good local law enforcement. But I think we shall encourage that kind of local law enforcement if the Federal Government, acting through Congress, states clearly its position that individual employees are entitled to their right of self-organization free from coercion from any source, whether it be the employer, the union, or some outside source.

The cases which have been cited show that in a great many organizational campaigns union agents make threats. If an individual is not willing to join, they threaten that when they get a majority and obtain a contract they will charge him twice as high an initiation fee, or higher dues. In some cases they simply make the threat that when the employees are organized and the union becomes the exclusive bargaining representative, they will take care of the recalcitrant employee. In a great many shops quite often that threat is sufficient. The railway unions are not permitted to have a closed shop or union shop, or anything like it. We have had presented to us several cases in which there was retaliatory disciplinary action by union leadership against employees. So the threats really mean something.

Mr. President, we accepted a modification of the amendment which states that—

> This subsection shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein.

That modification is designed to make it clear that we are not trying to interfere with the internal affairs of a union which is already organized. All we are trying to cover is the coercive and restraining acts of the union in its effort to organize unorganized employees. However, the proviso would not go so far as to permit the union to adopt rules authorizing its agents to threaten and coerce nonunion members in an effort to persuade them to join. The modification covers the requirements and standards of membership in the union itself.

Mr. IVES. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. IVES. In line with the statements which the Senator is making, I should like to ask him if he disagrees with the remarks of the Senator from Oregon [Mr. MORSE], who pointed out the vast possibilities for abuse in that particular connection. I thought that the Senator from Oregon developed a very powerful case. I should like to hear an answer to it, but I have not heard any forthcoming. Does the Senator disagree with the statement of the Senator from Oregon?

Mr. BALL. Is the Senator referring to the possibility of harassing a union organization campaign by persuading employees to file charges with the Board, and that sort of thing?

Mr. IVES. I am referring to litigation which might ensue, and everything in that connection which might serve as a stumbling block to legitimate labor organization. I believe that was the case which the Senator from Oregon was making.

Mr. BALL. I have in mind that the administrative-law approach to these problems always opens up the possibility that the administrative agency will be used to harass some groups in society. I think that unquestionably the present National Labor Relations Act has been used by the NLRB to harass employers and their employees on behalf of either the CIO or the AFL in their organizational campaigns. For instance, in the Thompson Products plant in Cleveland they themselves ordered their eighth election in 6 years, although time after time the employees have voted by an overwhelming majority for no union. I think that when we use the administrative-law approach there is always the possibility that it may be used to harass one group or another.

Mr. IVES. Mr. President, will the Senator yield for another question?

Mr. BALL. I yield.

Mr. IVES. By the same line of reasoning are we given to understand that if the attitude of the Board changes subsequently, the Board itself may employ this weapon to harass, to use the word employed by the Senator, legitimate attempts on the part of labor to organize?

Mr. BALL. Oh, yes; I think they could use the present act.

Mr. IVES. That seemed to be a matter about which the Senator from Oregon was worried. It has been disturbing me. I have been trying to find out what the effect of this proposal might be.

Mr. BALL. As the Senator from New York well knows, the great weakness of the National Labor Relations Act is that no employee under that act can go into court to protect the rights supposedly guaranteed by the act unless the National Labor Relations Board so permits. He has to get the Board to issue a complaint before he can proceed. That is true of any union or of individual employees. Obviously if we had a board that wanted to make a dead letter of the act and violate their oaths, they could do so, just as the early Board clearly, I think, perverted the act and used it as an instrument of the CIO.

Mr. IVES. Do I correctly understand, then, that the Senator feels that this provision might open up a condition in which an employee would be particularly susceptible to that kind of treatment?

Mr. BALL. No; I do not think it would do so. I think we have improved it, because we provide for a Board of seven members.

Mr. IVES. I thought the amendment agreed to the other day improved it.

Mr. BALL. I mean, our whole approach to this administrative set-up. In the committee bill we enlarge the Board to seven members, and I think we are bound to get a much more judicial and fair approach to the administration and enforcement of the law than we have had in the past.

Mr. IVES. Does the Senator think that seven members would be more fair than three?

Mr. BALL. Yes. I think seven individual quasi-judicial officials are much less likely to become the rabid proponents of a certain point of view than would be a group of three.

Mr. IVES. Assuming that at the beginning they were of the same type of mind?

Mr. BALL. Yes; assuming that a good board is appointed.

Mr. IVES. With reasonable minds?

Mr. BALL. Yes. The only point I was making was that with this administrative-law approach I hope that sometime we shall reach the stage in our labor relations when we can abolish the NLRB completely and write the rights, duties, and responsibilities of employers and employees into the law to permit anyone to go freely into court to protect his rights, and perhaps have a division in the Department of Labor which will conduct the elections, if necessary. That would be all that would be essential. But we are always in danger, with the administrative-law approach, that the authority granted will be abused as it was in the early days of the NLRB, when that Board used its discretion and power under the act to harass employers with one election after another until finally, in disgust, many of them organized. As the Senator knows, they carved departments out of plants because the CIO had organized those departments and were sure they could win in them. All kinds of practices of that nature were possible under the language of section 9, which I think we have improved by the pending bill.

Mr. IVES. I recognize those abuses and the conditions which have arisen. What I am bothered about in this instance is the effect this amendment may have on a legitimate attempt to organize workers. I think the Senator has already answered that that danger is present.

Mr. BALL. Of course it is. I will say to the Senator from New York that if any legitimate organizing drive is coercing and restraining individual employees in the free exercise of the rights guaranteed by this bill, I think the union ought to be slowed down a little bit. I do not know why they should not play according to the rules and recognize the rights and the dignity of the individual employee and his right to a free choice of bargaining agent such as the employer has.

Mr. IVES. I think the Senator and I agree perfectly, so far as that is concerned, but that is not what I am driving at. It is the next step.

Mr. BALL. Yes; the danger is that the Board undoubtedly, if it wanted to, could stretch the provision perhaps to cover legitimate persuasion, democratic persuasion, just as I think in the past the NLRB has stretched its authority virtually to deprive employers of any freedom of speech or any right to discuss affairs of mutual interest with their employees. I think we can have a Board which will give that matter more consideration.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. TAFT. The purpose of the provision, which changes the rules of evidence, is that any such abuse shall be

subject to correction by the courts of the Nation.

Mr. BALL. That is correct.

Mr. TAFT. If in the law we require substantial evidence on the entire record, then it seems to me that we not only meet the abuses of the past against employers, but make it infinitely more difficult to use the law improperly against the labor unions. It seems to me very clear that so long as a union-organizing drive is conducted by persuasion, by propaganda, so long as it has every legitimate purpose, the Board cannot in any way interfere with it. If it does, certainly a court, under our rules of evidence, can correct such an abuse.

Mr. BALL. I agree with the Senator from Ohio. We have protected it a great deal. I am distrustful in general of the administrative-law approach, because I have in the past few years seen too many administrative agencies granted, without discretion, quasi judicial powers which have been abused.

Mr. IVES. Mr. President, will the Senator further yield?

Mr. BALL. I yield.

Mr. IVES. I am glad to have that explanation from the Senator from Ohio. I think the provision in the bill does do all of that. But is it the Senator's idea that this amendment would in any way interfere with misrepresentation on the part of employees?

Mr. BALL. Misrepresentation?

Mr. IVES. Yes; on the part of labor organizations which might be attempting to organize employees.

Mr. BALL. No.

Mr. IVES. They can misrepresent as much as they want to, can they not? I should think the free-speech provision would take care of that.

Mr. BALL. I think it would depend on the nature of the misrepresentation. It seems to me that if in an organzing drive it were claimed that the union seeking members would be competing only with an independent union, that it would be only a union that would be recognized by Government agencies, I doubt whether it would be coercion or restraint.

Mr. IVES. I think it is very important to have that made clear, because I think misrepresentation certainly is something we need to have interpreted.

Mr. BALL. I agree with the Senator; I think he is correct. What we are talking about is threats of violence or of reprisal and that sort of thing in an organization campaign, or perhaps in an organizational strike, such as the Senator from Oregon was referring to. A mass picket line certainly would be coercion and restraint in this picture.

Mr. IVES. Mr. President, will the Senator again yield?

Mr. BALL. I yield.

Mr. IVES. Is it the Senator's idea that machinery would be established under the control of the National Labor Relations Board to stop mass picketing?

Mr. BALL. No; of course not.

Mr. IVES. The Senator's idea is to have the police power of the Federal Government exercised?

Mr. BALL. No. But I think that a mass picket line would be an unfair labor practice. We would not stop it, of course. The Senator knows that the process of filing an unfair labor practice charge and getting a hearing before the Board would be a completely impractical way of dealing with a mass picket line. It might perhaps restrain unions in the use of the particular weapon, and I think that would be all to the good. It might discourage them a little, because it would be an unfair practice.

Mr. IVES. They would be accused of an unfair labor practice; would they?

Mr. BALL. Yes.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me?

Mr. BALL. I yield.

Mr. SALTONSTALL. Perhaps this point has already been covered, but I should like to ask the Senator from Minnesota or, through him, the Senator from Ohio [Mr. TAFT], whether there have been any court interpretations of the words "coerce" or "restrain" in connection with this section?

Mr. BALL. I think there have been many interpretations of the words in the present section 8 (1) by the courts, because many unfair labor practice charges have been upheld against employers on the ground that they were restraining and coercing employees in the exercise of their rights. So the words have been interpreted in judicial decisions. I do not know whether they have been explicitly defined.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. BALL. I yield.

Mr. MORSE. I understood the Senator to say that he thinks it is possible to bring within the meaning of the amendment, as an unfair labor practice, mass picketing. I simply wish to say that if that is one of the objectives, I think it would have been much better—and it is one of the things, as I said on March 10, that I would have been perfectly willing to compromise on—to have had a particular provision in regard to mass picketing in interstate commerce cases. I think we shall eventually have to come to it. I would have been perfectly willing to come to it in connection with this bill, if it were put in as a separate provision and if it had been made a part of our discussions in the committee.

Mr. BALL. Mr. President, I am not sure that I agree with the Senator from Oregon that I wish to see the Federal Government police picket lines all over the United States. I do not quite see how that could be done.

So far as that goes, the mass picketing situation is not a major objective. What we are trying to reach here, it seems to me, is the coercive activity in which some unions and their agents indulge in their organizational and election campaigns; and, as the Senator from Oregon himself has said, those do not tend to be any tea parties; they frequently become rather rough.

It seems to me that if they indulge in the same threats and coercion which, on the part of an employer, would be held to be unfair labor practices, they should be held accountable before the National Labor Relations Board for that activity. It might not have been necessary to do that in 1935, when the original act was passed; but I submit that the position of unions and their leaders and business agents in American industry today is infinitely different from what it was in 1935. Today they have very great power. Most of the manufacturing industry today is covered by union agreements. The business agents and the unions are the exclusive representatives of all the employees, and I think it is generally accepted throughout industry that the ultimate objective of the labor movement is to organize every plant in the country. Knowing that, the individual employee is very likely to be easily influenced by any hint of coercion on the part of a union organizer, and any threats made by that organizer carry much more weight today than they would have carried 10 or 15 years ago.

Mr. President, I now yield 10 minutes to the Senator from New Jersey [Mr. SMITH].

Mr. SMITH. Mr. President, in discussing this amendment, of which I am a cosponsor, I wish to refer briefly to a statement which I made 2 days ago in discussing my attitude toward this entire proposal for labor legislation. In that statement I tried to point out that in title I of the pending measure, which is an amendment to the National Labor Relations Act, we are really making a profound change or, I may say, an evolutionary change in the policy of the act. When the act was originally passed it was intended, and I think at that time it was properly intended, to protect workers in their right to organize and bargain. Under the original Wagner Act or National Labor Relations Act the National Labor Relations Board was looked upon as—and since that time until today has been—an enforcement agency, really, for that act, protecting the workers in their right to organize and bargain.

Our committee in considering this matter and in thinking in terms of amending the act, recognized that in our thinking on this subject we have matured, and now we have reached the place where we believe that the act, which is supposed to cover management and labor relations, should go far enough to say that there are unfair labor practices on both sides in such controversies and should include definitions of those unfair labor practices, which it would be the duty of the future National Labor Relations Board to take care of.

In the committee we enlarged the Board from three members to seven members. We took away from the Board what might be looked upon as its prosecuting attitude and we made the Board more of a judicial board to determine unfair labor practices, regardless of whether they are performed by either an employer or by a union.

It is because of that new attitude and new change in policy which the pending bill brings about that I think this first amendment, offered by the Senator from Minnesota [Mr. BALL] and myself and other Senators, is so important, because it emphasizes the point I have just been discussing, namely, that by this bill we are covering unfair labor practices on both sides, regardless of whether indulged in by the employer or by the labor organization.

In order to make my position clear, I wish to read into the RECORD the relevant sections of the act which bear on this point.

Section 7 is the key section. It reads as follows:

RIGHTS OF EMPLOYEES AND EMPLOYERS

SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.

Then section 8 follows. As the Senator from Minnesota has said, we have not changed section 8 insofar as unfair labor practices by employers are concerned. Section 8 formerly simply defined the unfair labor practices of employers. Under the pending bill, which proposes to make changes in and is an amendment to the National Labor Relations Act, we also have provided for the recognition of unfair labor practices by labor organizations and their agents. To make this issue clear, I wish to read into the RECORD the way section 8 will read, bringing it under the head of both unfair labor practices by employers and unfair labor practices by labor organizations. As changed by the proposed amendment, section 8 will have both subsection (a) and subsection (b). Subsection (a) has to do with the unfair labor practices of employers and subsection (b) has to do with the unfair labor practices of labor organizations or their agents. Subsection (a), covering the particular point now under discussion, would read as follows:

SEC. 8. (a) It shall be an unfair labor practice for an employer—

(1) to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7.

Those are the rights to organize and bargain collectively, to which I referred a moment ago.

That is all I need to read from part (a), because I am only discussing subparagraph (1).

Now, turning to subsection (b), of section 8, which represents the new theory of the bill that we are defining in section 8, which defines unfair labor practices and wrongs on both sides of the shield, it will read as follows—and this is why the amendment is so important:

(b) It shall be an unfair labor practice for a labor organization or its agents—

(1) to restrain or coerce—

Mr. President, I stop there, because in the draft as submitted by the committee, we made it apply only to actions restraining or coercing an employer in the selection of his representatives for the purpose of collective bargaining or the adjustment of grievances. In the committee we discussed whether we should prevent a labor organization or its agents from restraining or coercing employees. The vote in the committee was very close—7 to 6, as I recall—against imposing restrictions on labor organizations insofar as restraining or coercing employees was concerned.

Those of us who did not agree with that action have offered this amendment, in order to make it balance with exactly the same provision in section 8 (a), which prevents an employer from interfering with or restraining employees in the exercise of their rights. With such a balance in the theory, in the practice and in the philosophy of the bill, which brings in unfair labor practices on both sides of the shield, as I have said, we felt employees should be considered as possible victims of coercion by labor organizations or agents.

The pending measure is designed to protect employees in their freedom to decide whether or not they desire to join labor organizations, to prevent them from being restrained or coerced. So, under the amendment, subsection (b) on this point would read as follows:

It shall be an unfair labor practice for a labor organization or its agents

(1) to restrain or coerce (A) employees in the exercise of the rights guaranteed in section 7.

There is a further proviso there which I need not read for the purpose of my argument, because we protect the union in its right to prescribe rules, and so forth, with regard to membership. We are simply saying that we think it is equally as wrong for a labor organization or its agents to restrain or coerce employees in their relationship as it is for an employer to do so.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. SMITH. I am glad to yield.

Mr. FERGUSON. Is the word "agent" as used sufficiently broad to cover a fellow employee? Or does it mean an agent of the labor union?

Mr. SMITH. I do not know how it would be interpreted, but my judgment is that it would be construed to mean an agent of the labor union who had been appointed to solicit membership.

Mr. FERGUSON. It would not apply to a fellow employee?

Mr. SMITH. I would not think so at all.

Mr. FERGUSON. I think the legislative history should make it clear that it is not the intent of the proposers of the amendment that "agent" should cover every employee.

Mr. SMITH. I think the suggestion is entirely correct. But perhaps the Senator from Ohio would comment on that.

Mr. TAFT. Will the Senator yield?

Mr. SMITH. I yield.

Mr. TAFT. I think the word "agent" used here, as used in the contract section, and as used in other places in the bill, means an agent under the ordinary rules of agency, an agent of the labor union, the organization, as such. The fact that a man was a member of a labor union in my opinion would be no evidence whatever to show that he was an agent.

Mr. FERGUSON. I am glad to have that explanation in the RECORD, to make the history of it very clear, particularly as to the word "agent" as used in the bill.

Mr. SMITH. I can see nothing in the language used which could possibly be construed as interfering with the right of solicitation of membership, with legitimate rules being laid down as to how members should be solicited.

The words "to interfere with" appear under section 8 (a), so far as employers are concerned, and on request of the distinguished Senator from New York [Mr. IVES], 2 days ago by unanimous consent we eliminated those words, because we were afraid they might imply that if a fellow member or an agent did something entirely legitimate, the words "interfere with" might be construed as being sufficiently broad to prevent that happening.

There is no intention whatever to prevent the legitimate building up of a union organization. The only intent is to prevent restraint or coercion by a labor organization or by employers, and we think the rules should be the same for one side as for the other.

The PRESIDENT pro tempore. The Senator's time has expired. The Senator from Minnesota yields the rest of his time to the Senator from Ohio [Mr. TAFT].

Mr. SALTONSTALL. Mr. President, will the Senator from Ohio yield for a question?

Mr. TAFT. I yield. I shall be glad to yield the Senator some time, if he wishes it.

Mr. SALTONSTALL. Following up my question to the Senator from Minnesota, I would appreciate very much, in order to make the matter clear in my own mind, if the Senator from Ohio would give an example of a restraint he would consider an unfair labor practice, an action which would not be a restraint, an action which would be coercion, and an action which would not be coercion, within the meaning of the words of the bill and the amendment.

Mr. TAFT. Answering the Senator from Massachusetts, I would say, in the first place, that I understand the present section against employers has been used by the Board to prevent employers from making threats to employees to prevent them or dissuade them from joining a labor union. They may be threats to fire the man, of course, in the extreme case. They may be threats to reduce his wages, they may be threats to visit some kind of punishment on him within the plant if he undertakes to join a union. Those are the usual types of coercion which have been held to be a violation of the section on the part of the employers. In the case of the employers, there have also been some cases of threats of violence, perhaps, though they have not been so common since the National Labor Relations Act came into effect.

In the case of unions, in the first place, there might be a threat that if a man did not join, the union would raise the initiation fee to $300, and he would have to pay $300 to get in; or there might be a threat that if he did not join, the union would get a closed-shop agreement and keep him from working at all. Then, there might be a threat of beating up his family or himself if he did not join and sign a card. I think, when we get to the case of unions, there might be the actually violent act of forcibly, by mass picketing, preventing a man from working.

Let us take the case of mass picketing, which absolutely prevents all the office

force from going into the office of a plant. That would be a restraint and coercion against those employees, an interference with their right to work. The Senator from Minnesota suggested it might not be a very effective right. I think it would be an effective right. What happens is this: In some small plant in which the labor is not organized, a man comes and says, "I represent the employees." The employer says, "How do you know you do? You have to show me something." So the man goes out and, by one means or another, he gets cards signed up by more than half the employees. The Board then says to the employer, "You have to bargain with this man." So the employer sits down with the man, and perhaps cannot reach an agreement. His demands may be reasonable; they may be wholly unreasonable. In any event, they do not reach an agreement, and the man immediately calls a strike, he pickets the plant, he keeps out the employees. When the employer goes to the Board, the Board says, "Oh, yes, we made you deal with this man, we made you recognize this union, but, so far as the way they are acting is concerned, that is not our affair at all. We have nothing to do with that under the act."

The effect of the pending amendment is that the Board may call the union before them, exactly as it has called the employer, and say, "Here are the rules of the game. You must cease and desist from coercing and restraining the employees who want to work from going to work and earning the money which they are entitled to earn." The Board may say, "You can persuade them; you can put up signs; you can conduct any form of propaganda you want to in order to persuade them, but you cannot, by threat of force or threat of economic reprisal, prevent them from exercising their right to work." As I see it, that is the effect of the amendment.

Mr. President, the amendment is founded on what I consider to be the basic theory of the entire bill, that is, an attempt to create equality between the employer and the employee. If anyone can point to anything in the bill which would impose on the labor union something not imposed upon the employer, certainly I would be in favor of amending it to create equality.

Men have come to me and said, regarding the question of an injunction for 60 days against a Nation-wide strike, "You enjoin the strike, but you do not do anything to the employers." The opposite is the fact. Anyone who will read the section will see that there is the right to enjoin a lock-out just as well as there is a right to enjoin a strike. If a Nation-wide industry says, to its employees, "We cannot go on any longer, you will have to agree to a reduction of your wages at the end of this contract, or we will have to shut down," the President can get an injunction to compel the continued operation of that industry, under the status quo, until efforts to mediate have been made. There is equality. We have tried to effect equality in every other respect that I know of.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Oregon.

Mr. MORSE. I simply want to say that I think it would be a very interesting case if a court undertook to compel an employer who says "I cannot pay the wages" to continue to operate his plant, even though he does not have money with which to pay the wages. I think there would be some very interesting questions raised with regard to due process of law under such an injunction.

Mr. TAFT. I agree with the Senator that under the emergency section I think there will be very serious questions of due process of law raised on both sides. But I can personally see no difference between the court for 60 days compelling an employer to operate his plant and compelling employees, without a contract, to work in a plant. Certainly that is the effort of the particular provision with which I am dealing. I think it would be upheld by the courts in such a case. Senators must remember that it relates to an entire Nation-wide industry. I think a Nation-wide industry can afford to continue to work for 60 days rather than starve its employees and thus force a strike.

Mr. MORSE. The Senator has been so kind, I do not want to interrupt him unnecessarily, except to say at this point that I think any such action as that would certainly result in legislation to reimburse an employer who had had his property taken away from him by such a court order.

Mr. TAFT. I do not know. I rather disagree with the Senator. It would be true if it were permanent, but I do not think it would be true of the 60-day provision, where the alternative may be shutting down the plant and losing the money, anyway. I do not think there would be enough loss in any event to make any difference.

Mr. MORSE. I do not think it makes any difference whether a man is forced to undertake a legal obligation that he does not have financial resources to undertake, or whether a piece of property is taken without due process of law, and without compensation therefor.

Mr. TAFT. Mr. President, the particular section, of course, is exactly parallel. The effort is to make it parallel. The distinguished Senator from Oregon has argued that this provision would open up a large number of suits and actions before the National Labor Relations Board. Of course, the theory of the bill is that the National Labor Relations Board should be open to suits by employers as well as to suits by employees. The distinguished Senator from Oregon, himself, and the other members of the committee, have listed a long series of unfair labor practices on the part of employees and of labor unions. Undoubtedly those various unfair labor practices may result in actions being filed, on the refusal to bargain collectively, and on the various kinds of organizational, jurisdictional, and secondary-boycott strikes. The distinguished Senator has said it would open up the question of the violation of the terms of a collective-bargaining agreement, so that every violation of contract may be the subject of an unfair labor proceeding. Like the Senator from Minnesota, I am not very fond of the administrative procedure, but it is believed that if we retain the unfair labor practice procedure against employers, an effort should be made to bring about some measure of equality by defining unfair labor practices on the part of labor unions. Undoubtedly any such procedure is subject to abuse; but I think it will be largely controlled by court-review provisions. I see no reason to think it is any more difficult for the unions than it is for the employer. We have, of course, written it clearly. The act for years has contained the provision:

> It shall be an unfair labor practice on the part of an employer—
>
> To interfere with, restrain, or coerce employees in the exercise of the rights to work and organize.

All that is attempted is to apply the same provision with exact equality to labor unions. There is a provision against persuading or attempting to persuade an employer to discriminate against an employee whose membership in a union has been terminated on some ground other than nonpayment of dues. Of course, the Board will have more to do. I see no reason why the Board should not be expected to dismiss harassing suits by employers just as rapidly as they would dismiss harassing suits on the part of employees. I see no reason to believe that if any unfair labor practice is to be legislated against, the prohibition of this particular unfair labor practice will add materially to the labors of the Board.

The Senator says it will slow up organizational drives. It will slow up organizational drives only if they are accompanied by threats and coercion. The cease-and-desist order will be directed against the use of threats and coercion. It will not be directed against the use of propaganda or the use of persuasion, or against the use of any of the other peaceful methods of organizing employees.

Mr. President, I can see nothing in the pending measure which, as suggested by the Senator from Oregon, would in some way outlaw strikes. It would outlaw threats against employees. It would not outlaw anybody striking who wanted to strike. It would not prevent anyone using the strike in a legitimate way, conducting peaceful picketing, or employing persuasion. All it would do would be to outlaw such restraint and coercion as would prevent people from going to work if they wished to go to work.

Incidentally, it would not induce strike breaking, because there is a law against strike breaking, which prohibits the employment of anybody at a wage higher than is already being offered.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Oregon.

Mr. MORSE. On that point I think it will be found that under the amendment there will be a great deal of collusion practiced between employers and company-dominated employees. Charges of coercion and intimidation will be filed, and I think it will have the effect of making a great many strikes completely ineffective, because it will take

time to determine such matters on their merits. It is not like pressing a button and having a petition dismissed automatically.

Mr. TAFT. However, all that is filed is a petition alleging that a man is using coercion and threats against particular employees. All the union has to do is to cease doing those things, and whether they are charged with doing them or not it would seem to me makes very little difference. They are not enjoined through the filing of an unfair labor practice charge. It will likely be a considerable length of time before any order is issued, and, when the order is issued, it will relate only to such practices, and not to the continuation of an organizational drive or strike.

Mr. MORSE. If the Senator please, I think that the last point is not so easy of solution as he suggests, because with such a provision on the statute book, there will be a vast amount of litigation on the question of whether or not an injunction will lie. I am inclined to think that a very substantial argument can be made, once the Board issues its cease-and-desist order, in support of an injunction at that point.

Mr. TAFT. I do not understand the Senator.

Mr. MORSE. There will be a recurrence of all the evils connected with blocking a strike by the injunctive process, at least until such time as the Supreme Court passes upon the issue.

Mr. TAFT. The Senator suggests that after a hearing the Board may find that threats and coercion have been used, and may issue a cease-and-desist order against the further use of threats and coercion. Then in what way does that prevent the union from going right ahead with its strike and with its organizational activities?

Mr. MORSE. I am even taking a step before that. I am of the opinion that experience will prove that even before a hearing, the filing of the petition, itself, with certain allegations, will cause judges in some sections of the country at that point to interpret the law in such a way that it will serve as the foundation or bottom for an injunction.

Mr. TAFT. I agree with the Senator that if a case is filed alleging that the union threatens a man personally, or sends threatening letters to him, saying it is going to beat him and his family if he does not join the union, and the Board then finds that that was done, and issues a cease-and-desist order, it may be it would encourage a district attorney, or some of the local courts, to take unwarranted action. But in such a case the union ought to be punished. An injunction ought to be issued to prevent such a procedure.

The Senator from Oregon a while ago said that the enactment of this proposed legislation will result in duplication of some of the State laws. It will duplicate some of the State laws only to the extent, as I see it, that actual violence is involved in the threat or in the operation.

Mr. MORSE. I believe with the Senator that that sort of action should be stopped. It should be stopped through State laws and not through a Federal law. The point I am seeking to make is that with this amendment on the statute books I think it will be found that the very filing of the allegations will cause courts to proceed to issue injunctions. That is why I say I think it will be a tremendous handicap to legitimate strikes and legitimate organizational activities.

Mr. TAFT. The bill does not in any way change the right of the Federal court to issue an injunction. The Senator is suggesting that the enactment of this proposed legislation will bring about a condition which will compel the local court to do its duty. If that will be the result, I believe it will be a beneficial effect.

Mr. MORSE. No; my position is that we will not know until the Supreme Court passes upon the measure whether it changes the right of the Federal courts; and I think there will be Federal courts which will issue injunctions under the terms of this amendment prior to any finding on the part of the Board.

Mr. TAFT. I entirely disagree with the Senator. I do not think, except as we have anywhere specifically changed the Norris-LaGuardia Act, that anything in this amendment or any finding of unfair labor practices against the union will in any way enlarge the jurisdictional power of the Federal courts in issuing injunctions. I do not understand the legal argument made by the Senator, and I do not see any basis for it.

Mr. MORSE. I hope the Senator is correct; but I suggest that after the enactment of the amendment into law he will soon find the issue before the Supreme Court.

Mr. TAFT. I am sure the Supreme Court will hold that I am correct in my interpretation of the law, because I think the provision is entirely clear, and I do not believe there would be any justification for an injunction of the character to which the Senator refers.

Mr. President, I may say further that one of the arguments has suggested that in case this provision covered violence it duplicated State law. I wish to point out that the provisions agreed to by the committee covering unfair labor practices on the part of labor unions also might duplicate to some extent that State law. Secondary boycotts, jurisdictional strikes, and so forth, may involve some violation of State law respecting violence which may be criminal, and so to some extent the measure may be duplicating the remedy existing under State law. But that, in my opinion, is no valid argument.

The Senator from Oregon, when speaking about paragraph (5) on page 16, stated clearly that for the purpose of enforcing the collective-bargaining agreement we were duplicating the two remedies, one by lawsuits in court for violation of an agreement and the other by making the violation of the agreement an unfair labor practice. I do not think that is a legitimate objection to such an amendment.

Mr. President, I want to say a word with regard to the suggestion that this is a so-called tough bill. I do not think it is a tough bill. I do not think we have done anything in this bill except to correct injustices and try to bring about equality. That is also the purpose of the pending amendment. We have not prohibited the union shop, which is urged by many. We have not abolished Nation-wide bargaining or prohibited Nation-wide bargaining either in the bill or by the proposed amendment. We have particularly failed to impose compulsory arbitration on the parties. We have not outlawed public-utility strikes, although many think we should. We have felt that the very basis of any bill must be free-collective bargaining. We have felt that basically there must be a right to strike if we are to maintain a free economy governing the relations between employers and employees. We have refused to set up any system of labor courts to impose upon workers the behest that they must work for certain wages fixed by the Government and not fixed by their own representatives.

It is not the purpose of the bill to discipline labor leaders, as suggested by the Senator from Oregon. It is a bill intended to try to equalize the relations between employer and employee. That is the very purpose of the pending amendment.

Mr. President, I am urging only amendments that seem to me clearly necessary to correct particular abuses when one party has obtained some advantage over other parties.

I agree with the Senator from Oregon that we might go so far in legislation as to make it unworkable. I agree that if we attempt to prohibit absolutely all strikes we may find that we cannot prohibit strikes. We may find that a hundred thousand men cannot be placed in jail if they are really determined and have confidence in the justice of their cause. But I do not believe any feature of the bill is unworkable. I do not see why the amendment should be in any way unworkable. For years the courts have been deciding that employers cannot interfere with, coerce, or restrain their employees. It is exactly as possible and logical to say to the union, "You shall not restrain or coerce employees in their right to work." I see no reason to think that that is any more unworkable than the provision which has actually worked.

So also with the other amendments we are going to propose. I am very confident that all those amendments simply try to work out on an equitable and fair basis the relationship between employees and employers. I do not believe any labor union can have a legitimate argument with which to go to the people and say, "Here is something in which you have discriminated against us, which you passed to punish us because you have not liked the way we acted." If there is any such provision I at least would be glad to remove it from the bill.

Mr. HATCH. Mr. President, do I correctly understand that the Senator from Minnesota [Mr. BALL] has used up all his time?

Mr. BALL. I still have some time left, but the Senator from New Mexico may proceed if he wishes.

Mr. HATCH. I had no desire to proceed. I thought the Senator from Ohio

would consume the time remaining under the control of the Senator from Minnesota.

Mr. BALL. The Senator from Ohio has concluded, and time is now open to the opponents of the amendment.

Mr. HATCH. Mr. President, I should like to know how much time the opponents of the amendment have left. The Chair previously stated that we had only some 12 or 13 minutes. I should like to know how much time the other side proposes to give to us.

The ACTING PRESIDENT pro tempore. The Chair will state to the Senator from New Mexico that the time remaining under the control of the Senator from Florida [Mr. PEPPER] is 12 minutes.

Mr. BALL. Mr. President, I indicated to the Senator from Florida that I might yield him some time if he needed it for discussion. I yield 10 minutes of our time to the Senator from New Mexico.

Mr. HATCH. I thank the Senator from Minnesota. I do not think I shall need it. I shall make my remarks as brief as I can because I understand that other Senators desire to speak, and the time is limited.

Mr. President, in beginning my remarks, I should like to discuss from a practical standpoint the situation in which we now find ourselves. I wish that for a while we might forget that there is any middle aisle in this Chamber, and consider the proposition before us without regard to whether we are Republicans or Democrats. I make that statement simply because charges have been made back and forth that political considerations are entering into the debate. I wish they might not enter into it. I think it is quite true that everyone in this Chamber, except possibly those who hold extreme views, realizes that the country expects the Congress of the United States to enact constructive labor legislation, and I think all of us are under a duty and a responsibility to meet the situation, to accede to the wishes and the desires of the entire country.

The other day, Mr. President, I spoke in favor of the motion made by the Senator from Oregon to divide the bill. I said then—and I repeat now—that my vote on that occasion was simply an effort to obtain some measure of legislation upon this subject. I did not discuss then—and I shall not discuss now—the merits of the bill or the merits of any of the proposed amendments. I stated on that occasion that if the bill were loaded down with restrictive amendments, in my opinion—and speaking only on my own responsibility—it would surely meet with a Presidential veto. I am still of that opinion. In that connection I wish to say that again I speak only my own opinion. I have not conferred with the President, nor with any member of the executive department. But from what has gone on in the past, and the well-known views which have been expressed, I am quite sure that a measure which is loaded down with too restrictive proposals will surely meet a Presidential veto. So I wish to discuss again, most briefly, the practical situation.

Let us agree that the objective of each of us is to obtain constructive legislation. How can we best obtain it? I am of the opinion, as I have stated, that with each amendment that is adopted the chances of a Presidential veto increase; likewise, the chances to override the veto decrease.

What will happen? No matter how meritorious amendments may be, if we load the bill down with so many amendments and so many subjects that it is vetoed by the President, and we do not have the votes to override the veto, what shall we have accomplished? We shall have accomplished absolutely nothing. We shall have failed in our obligation to the public and to both labor and management. We shall have failed ourselves as lawmakers.

Who would gain by such a condition? Shall I mention politics? Would the Republican Party gain if a bill were passed and the President should veto it, and his veto should be sustained? I think not. Possibly a few votes might be gained by such practices, but probably as many or more would be lost.

Would the Democratic Party gain under such circumstances? I think not, Mr. President. Probably some votes would be won by a Presidential veto under such circumstances, but others would be lost and, in my judgment, so far as the political situation is concerned, we would have a stalemate

Would labor gain by the failure to enact reasonable corrective legislation? I think not. I believe that reasonable, fair, and just legislation is actually in the interest of the cause of labor. I believe that the failure to enact reasonable legislation would not constitute a gain for the cause of labor.

Would management gain? I think not, Mr. President. I think management needs fair, just, and reasonable legislation. If we pursue a course by which no legislation is obtained, management will not gain. Neither of the political parties would gain under such circumstances. Neither labor nor management would gain.

But something would be lost. The Congress would have lost an opportunity—and it now has such an opportunity—to enact some legislation which can become the law of the land. Moreover, in the event we fail to enact legislation which can become law, the entire American public will lose by our failure. So from a practical standpoint I urge that the bill as reported from the committee, without the addition of amendments, regardless of their virtues, be enacted into law.

Do I say that the committee bill itself would be assured of Presidential approval? I have not made such a statement. I do not know. The President may even feel called upon, for what he considers to be good reasons, to veto the bill if all the proposed amendments are rejected. I do not know about that.

But I am not speaking alone with respect to Presidential vetoes. I am speaking about enacting legislation. I know that, if the bill as reported by the Senate committee is passed without further amendments, there will be a far better chance for it to be passed over the President's veto than if we add such amendments. I know of Senators on this side of the Chamber—and I presume there are such Senators on the other side of the Chamber—who, if the President should veto the committee bill as it has been reported, would not hesitate to vote to override the Presidential veto. It is my judgment that, if the bill is enacted in that form, it can become the law, Presidential veto to the contrary notwithstanding.

The ACTING PRESIDENT pro tempore. The time of the Senator from New Mexico has expired.

Mr. HATCH. Mr. President, may I have a minute or two more?

Mr. PEPPER. Mr. President, I yield 2 minutes more to the Senator from New Mexico.

Mr. HATCH. I thank the Senator from Florida.

Mr. President, I think I have already expressed my position on the pending measure. I have stated why I shall vote against the amendments as they may be offered. I am trying to obtain legislation which can become law, even though the President of the United States should determine, according to his judgment, that he should veto the bill. My judgment is that if we confine ourselves to the bill which has been reported by the committee, that measure can be enacted into law.

I am equally convinced that if further amendments are added, we shall enact no legislation whatsoever. As I stated yesterday or the day before, we shall simply have marched up the hill, turned around and marched back down again.

Mr. PEPPER. Mr. President, I yield to the Senator from South Carolina [Mr. JOHNSTON].

Mr. JOHNSTON of South Carolina. Mr. President, I have listened to the debate upon Senate bill 1126 with the closest attention and interest. I have been impressed with the zeal and the seriousness of purpose shown by the able gentlemen who are the proponents of this measure as reported by the Committee on Labor and Public Welfare. I have been equally impressed by the sincerity of those who are dissatisfied with the bill as it now stands and who desire to impose more vigorous restrictions upon the activities of organized labor.

The sharp conflicts which have found expression during this debate are testimony to the troublesome times through which we are now passing. But it seems to me that the industrial unrest for which we are seeking a solution by law does not spring fundamentally from a struggle for power between warring groups in our national community—it springs from the efforts of management and labor to protect their interests in the face of certain hard economic facts.

Today the American worker is faced with the highest living costs in the history of this country. The cost of the staples of existence— bread, butter, eggs, meat, milk, vegetables—food that appears on every American table—has risen higher than at the end of the First World War. The American dollar will buy less on the market today than at any time

within the memory of the speaker—or of anyone here present—and in the face of these conditions the American people are demanding lower prices, or a larger share in the profits of production so that our standards of living will not become lost forever.

These conditions have had an alarming effect upon the industry of this country. Although we have built through the efforts of free enterprise the greatest and most efficient system of production which the world has ever known, the costs of producing have reached an all-time high. The secret of our success has been the know-how of American mass production—large volumes of goods produced quickly and ingeniously at a low unit cost—bringing increased profits as the reward. The profits are low on the individual item—but they increase because of the great quantities of items which we are able to manufacture and sell. This calls for a very delicate adjustment of selling price to production costs in our competitive system—and American business must constantly meet the threat that the costs of production will drive the product off the market. In fact, I believe that this very thing is happening in a few industries today—production costs and price levels have risen so high that large volume operations have become unprofitable. The American public has become unable or unwilling to pay the necessary price.

I know that every one of us will agree that these conditions call for great patience and understanding upon the part of the American people—and, above all, for cooperation in every community of this country. It is essential to our continued prosperity as a nation that American business and American labor continue to work harmoniously together. It is essential that they find a peaceful solution to their problems over the conference table—and not on the picket line. I have a great faith in the ability of the American people to work together for the common good. The tremendous achievements in production which turned the tide of victory in the last war show how much we can do when we are solidly united with a common purpose. And even as we are meeting here today thousands of citizens in cities and towns throughout the country are joining together voluntarily—merchants, shopkeepers, housewives, wage earners—with the common purpose of reducing prices for the benefit of all.

Mr. President, we cannot legislate cooperation between management and labor. Indeed it is not necessary to do so because cooperation is part of the lifeblood of the American people. Why, I have read only the other day of agreements reached by friendly bargaining in four of our largest industries resulting in wage adjustments covering hundreds of thousands of workers—reached over the conference table without industrial strife of any kind or degree.

Our object, Mr. President, should be justice for the wage earner and for the employer without creating and fomenting the very elements of industrial strife which we seek to avoid. Now one of the most effective ways of creating immediate unrest would be to deprive the worker of his right to join with his brothers in the use of his only weapon—economic force—to secure a fair wage. We have declared by law that he has a right to organize and bargain collectively and I believe, that no matter how peacefully that right is exerted—its effectiveness will always depend upon the recognition by both parties—management and labor—that each holds the power to stop production in enforcement of their just demands. If the employer has the right to lock the doors of his mill at any time, it seems to me that workers should be able to exert a corresponding right. These convictions of mine have not come from books. They have come from 11 years of experience working in a cotton mill. I therefore believe that I know whereof I speak.

Let us consider, for example, the lot of the unorganized worker in the cotton-textile industry. A good deal more than one-half of the manufacturing wage earners in the State of South Carolina are employed in this type of work and in related industries—making broad woven cotton goods, cotton yarn, and dyeing and finishing textiles. In this industry the labor costs are a very high percentage of the value of the product and manufacturers are understandably very sensitive regarding any increases in wages which might adversely affect the sales position of the product.

Now about 75 percent of these mills in my State are largely unorganized. That is, the wage earner has been greatly dependent upon his own individual efforts and upon the fluctuations of the market for the type of wages he receives for his work. I have noticed almost without exception that—in the absence of legal restraint or collective action—the wages tend to seek the lowest level imposed by the most highly competitive employer. I believe I demonstrated this point some days ago during the discussion of the portal-to-portal pay bill. In July 1933, for instance, before the National Recovery Administration almost all workers in the cotton-goods industry in the South averaged less than 30 cents an hour. After the National Industrial Recovery Act was passed, however, establishing fair practice codes for the various industries, the number receiving less than 30 cents an hour was reduced to 7 percent by August 1934. Then as soon as wage controls were removed the percentage doubled; and, just before the Fair Labor Standards Act of 1938 went into effect, 25 percent of the wage earners in the cotton-goods industry in the South were averaging less than 30 cents an hour.

Of course, since that time wages have risen sharply not only because of the Fair Labor Standards Act but also because of the high wages in competing war production and the general Nation-wide increase in wage and price levels. In the absence of broadly effective organization, however, the textile worker in South Carolina would be unable to prevent a slump in wages to the minimum required by law whenever the competitive situation changes. Mr. President, I submit that we cannot condemn the worker eternally to wages no higher than 40 cents an hour—the legal minimum. We cannot deprive him of his right to use economic force, if necessary, to raise those wages.

Even though the right to use direct economic force is a fundamental right, I find proposed amendments to this bill which, as I read it, would utterly destroy the right to strike. I refer to the amendment of the senior Senator from Minnesota which would make any union subject to the Sherman and Clayton Antitrust Acts if it combined to restrain interstate commerce for the purpose of restricting competition. The Norris-LaGuardia Act would again be repealed so far as it now applies to prevent injunction of such activities by the Federal courts.

The legal effect of this language might well be to make each labor union liable to injunction, to criminal sanctions, and to treble damages if it is seeking a wage increase from an employer in whose plant the union is effectively organized and certified to bargain collectively. I say this because, for the first time in the history of the antitrust laws, they would be applied to the restriction of competition by a union combination regardless of whether the means chosen by the union are ordinarily lawful. In other words, the mere fact of a peaceful walkout in an industry in interstate commerce because the employer and the union are unable to agree on a wage increase would very likely constitute a violation of the antitrust laws.

Now, I am not sure exactly what the Senator from Minnesota means in his proposed amendment by the words "restrict competition." I am reasonably sure, however, about the interpretation which the courts have placed on these words in cases involving unions under the antitrust laws. In Apex against Leader the late Chief Justice Stone stated, and I quote:

> A combination of employees necessarily restrains competition among themselves in the sale of their services to the employer. * * *
>
> Furthermore, successful union activity, as, for example, consummation of a wage agreement with employers, may have some influence on price competition by eliminating that part of said competition which is based upon differences in labor standards. Since in order to render a labor combination effective it must eliminate the competition from non-union-made goods, an elimination of price competition based on differences in labor standards is the objective of any national labor organization.

I wish to emphasize this point I am making by adding another quote, this time from the decision of the United States Supreme Court in the case of Allen Bradley Co. against Local Union No. 3:

> It must be remembered that the exemptions (contained in the Clayton Act and the Norris-LaGuardia Act) granted to unions were special exceptions to a general legislative plan.
>
> It is true that many labor-union activities do substantially interrupt the course of trade and that these activities, lifted out of the prohibitions of the Sherman Act, include substantially all, if not all, of the normal peaceful activities of labor unions. * * * Thus, these congressionally permitted union activities may restrain trade in and of themselves. There is no denying that many of them do so, both directly and indirectly.

Now, I am certain of the sincerity and of the ability of the Senator from Minnesota, and, although I disagree with him as to the steps which should be taken in these matters, I am confident that he conceives himself as sincerely interested in the welfare of wage earners as any Member of this Senate. Yet there it is; he would subject labor organizations to criminal penalties and crippling damages for restricting wage competition and, indirectly, price competition by a walk-out to enforce fair wage demands made against an employer with whom the union ordinarily deals.

An example comes to my mind concerning a manufacturing company in my home State of South Carolina employing some 1,200 workers. During the war this company, which was then engaged in war production, was involved in a dispute with a labor organization ultimately resulting in the plant being seized by the Federal Government. The plant was then operated by the Government until VJ-day under a union agreement calling for a 55-cent minimum wage and a 5-cent an hour general wage increase. After the plant was returned to the owner, he announced that the plant would be run on the basis of the wage scale in effect prior to the Government's operation, which meant a reduction in earnings. As a result the employees went on strike, charging a refusal to bargain by the employer. As far as I know that charge is still pending before the National Labor Relations Board which as late as 2 months ago was unable to process the case because of lack of personnel. The strike continued for a year or more—in fact it was not officially declared by the Conciliation Service to have ended until April 22 of this year.

Now, none of the provisions of S. 1126 as reported by the committee would have prevented this strike, nor would they aid in bringing about a settlement. The present conciliation and mediation services of the Government, which at all times have been available to the parties, have not attained a settlement and I see no reason to believe that a newly established Federal Mediation Service would be more successful. The amendment of the Senator from Minnesota not only would fail to result in a settlement but would impose upon the union in this case heavy penalties for striking to prevent a decrease in wages even if the employer had been guilty of a failure to bargain collectively with the union. The result, Mr. President, would be either a ready accession to the employer's wage policy or the utter disintegration of the union. I do not believe that any fair-minded man can condone, let alone actively support, a measure which would have such disastrous results.

Another suggested amendment to this bill would prevent unions from bargaining for employees who are in more than one county or metropolitan area. I cannot see the benefit of this proposal. Rather than aiding in the settlement of disputes I believe that this provision would encourage them. This feature would prevent the often conciliatory efforts of the international union from being brought to bear upon strikes by its affiliates for the purpose of exercising a moderating influence where the local union has acted rashly in its relations with the employer.

I believe it is true, on the whole, that the most effective negotiation has involved the guidance of international officers. I know that amicable settlement of wage questions has frequently resulted from negotiation at a top level rather than at a plant level where several plants throughout the country may be involved. And I remember that, with isolated exception, the disputes which reflected adversely upon labor during the war resulted largely from the erratic policies of a few local unions.

Moreover, Mr. President, we cannot ignore the undoubted fact that millions of workers are now covered by agreements negotiated upon a regional basis, or larger, nor can we overlook the disrupting effect which this proposal would have upon these agreements which now have a stabilizing effect upon the economy of our Nation.

As to the bill as it now stands, I find it extremely difficult to perceive any sound reason for depriving supervisory employees of the rights guaranteed by the Wagner Act and, I find it equally difficult to see why these employees should not be held to the same high standard of conduct which would be required of organized labor by the provisions of this bill. I realize that this is a subject upon which there are violent opinions both for and against the organization of supervisory employees. I have encountered few experts on industrial relations who did not take a strong and uncompromising position on one side or the other.

Two factors greatly influence my opinion on this subject. First, in many industries supervisory employees have been organized for years. An example of what I mean is the Order of Railway Conductors of America. This organization has bargained successfully in the railroad industry side by side with unions composed of rank-and-file workers. Yet insofar as the operation of a train is concerned the conductor is in charge, and must deal with other employees who are also union members. The conductor must enforce safety rules of the strictest nature and must initiate disciplinary action wherever there is an infraction of regulations endangering the train. But I have never heard a complaint that conductors were lax in carrying out disciplinary functions because of their community of interest with other organized workers whom they supervise. Nor have I ever heard it said that the railroads do not desire to have conductors join unions. I therefore cannot accept the argument that organization of supervisory employees conflicts with the position of trust which is imposed by their relations to management.

Second, I feel that supervisory employees have as much to benefit from organization as rank-and-file workers. Those desiring to organize are not likely to be the high-paid executive staff—they are the foremen and supervisors in the plant—whose wages, hours, and working conditions are proper subjects for collective bargaining and whose security is as much in need of protection as that of other workers. Now, if there is a union of supervisors, I believe that their interests should equally be protected by law and that these unions must be held to the same degree of responsibility as other unions.

In defining a line of demarcation between supervisory unions which would be included and those which would be outside of the act, it seems to me that the test of affiliation is a sensible compromise between the extreme demands of opposing factions. If a supervisory union is in any way affiliated with a rank-and-file union it should be outside the act. But I cannot agree with the position of this bill that all unions among supervisory employees must be placed beyond the law.

Lest anyone may misconstrue my remarks today, I wish to say that I am seriously concerned and earnestly determined about enacting fair measures which will correct evils in industrial relations without injustice to American labor. I deeply feel that many jurisdictional strikes and many boycotts constitute unjustifiable invasions upon the property and interests of management and I am convinced of a firm and pressing need for eliminating them. I have also felt for some period of time that amendments to the Wagner Act are in order.

I wish to commend the able members of the Committee on Labor and Public Welfare regarding many provisions of this bill because many of these provisions are in accordance with my views. I cannot help but feel, however, that there are also provisions in the bill that do a great injustice to the laborers of this Nation and which will do them and this country a great deal of damage if they are enacted into law. For these reasons I cannot support all of the provisions of the measure as it now stands any more than I can agree to the restricting amendments. I am convinced that the provisions which I have discussed would have a very disturbing effect upon industrial relations without curing evils which exist upon the American labor scene. I very much fear that they would permanently blight the spirit of cooperation needed more today than at any other point in our peacetime history since the period of reconstruction.

I again warn the Members of this body of the unjust amendments of this omnibus labor bill, so-called, and that it is utter folly to attempt to secure industrial peace through the enactment of such vindictive legislation. Should this bill become law, we must expect to enter upon an era of industrial strife, dissatisfaction, and even violence; the like of which our peace-loving people have not seen on this soil since the War Between the States.

Like most other Members of this body, I desire to see the enactment of legislation that will protect the general public, and labor and management alike, from the excesses and the abuses of ruthless, unscrupulous labor leaders. An avaricious and selfish labor tyrant is as great a danger—or greater—than the capitalist exploiter whom he denounces and condemns. Labor racketeers admittedly are a threat to the democratic process and to

the liberties of the individual. Unless controlled, or eliminated, they can destroy our industrial economy and undermine our governments. I hold such individuals in great contempt. Yet, in the passion of our desire to protect the public from such monsters, are we willing to plunge foolhardily into legislating unworkable, unjust and unconstitutional law.

I avail myself of the opportunity to again point out that I know and understand the feelings of the man who earns his living through manual toil. I know that he would not accept, even grudgingly, the yoke which such a law would place about his weary neck. I speak not in the interest of any labor union or any labor leader. As I have said the workers of my own State are unorganized to the extent of 75 percent of those now employed in industrial and business establishments and I say with all candor and honesty that I have been besieged by letters, telegrams, and telephone calls from constituents urging me to vote for this bill. It would be a popular stand for me to take. Yet I believe they do not understand the serious dangers inherent in some of the provisions of this legislation, just as the workers in my State, from whom I have heard in only relatively small numbers, do not understand the invasions upon their civil rights.

Practically all of us want restrictive legislation which will protect the welfare of the general public against strikes of far-reaching consequence to the health and safety and necessary convenience of our people. We are opposed to violence in picketing, opposed to secondary boycotts, and jurisdictional disputes; opposed, in short, to many of the provisions of this bill. Yet, for the good which it would accomplish we are unwilling to subject ourselves to its dangers and its injustices.

On Wednesday, an opportunity to recommit this bill for revision by the committee and separation into four different bills was refused by a majority vote. Now, the only hope to prevent the obliteration of certain legitimate rights of our working people lies in a Presidential veto, and that same stroke would wipe out also the beneficial and desirable features of this bill—features sorely needed by the American public, and desired by us all. I sincerely doubt the wisdom; yet, I would hesitate to question the good faith of those people who insist on lumping every single phase of the most complex problem confronting our Nation and our peoples today into one quack cure-all.

For the reason that I shall be unable to accept the iniquitous and the obnoxious, I fear that I shall have to vote to reject also that which would be beneficial and worth while. This is a regrettable legislative circumstance into which we have been forced. However, there are some things so offensive that when grouped with other matters desirable and necessary the whole collection must be refused.

Naturally, I have no information or suggestions as to the President's decision when this legislation is handed up to him. Yet, we must only inspect his record in the Senate, review his veto message on the Case bill during the last session, and read again his recommendations to this Congress on the subject of labor legislation, in order to ascertain what is his thinking and his attitude toward these questions. I think it is inconsiderate and unfair, and against the best interest of the people of this country, to serve to the Chief Executive an omelet he cannot unscramble and consequently must take or throw away. The end result would be futility and waste.

Certainly, no one can profess a constructive effort in deliberately drafting legislation that is reasonably certain of veto.

There is still time to recommit this proposal and, while I cannot with good grace so move, I wish sincerely and honestly that its proponents would request that the bill be referred back to the Committee on Labor and Public Welfare for revision in accordance with the President's recommendations and the sentiment of the majority of the Members of Congress. Such a course would, in the end, result in a great saving of time and would expedite the enactment of that constructive and protective legislation which our peoples cry out for.

The PRESIDING OFFICER (Mr. CAIN in the chair). The time of the Senator from South Carolina has expired.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that there be printed in the RECORD in connection with my remarks an editorial from the Chicago Journal of Commerce of yesterday.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MORSE CODE

Civil war was fought among the Republican members of the Senate Labor Committee. The respective factions were led by ROBERT A. TAFT, of Ohio, and WAYNE MORSE, of Oregon. Mr. TAFT wanted an omnibus labor bill sent to the White House. Mr. MORSE wanted four separate bills. The Senate rejected the Morse proposal by 59 to 35.

Mr. TAFT, while realizing the danger of Presidential veto of a stiff omnibus bill, doubtless felt that by killing all labor reform Mr. Truman would be forced into a suicidal political blunder by flouting public impatience with labor abuses. Mr. MORSE believed that the important matter is getting labor legislation enacted, not playing partisan politics.

The code of the Oregon Senator makes excellent sense.

The bill passed by the Senate Labor Committee has provisions for delaying strikes by injunction, creation of a new mediation agency, making labor unions financially responsible, defining as unfair certain union practices and providing for a special Senate-House labor study.

Additionally Senator TAFT and three colleagues have offered amendments outlawing jurisdictional strikes and secondary boycotts, banning unilateral union administration of health and welfare funds, forbidding national unions to dictate contract terms to their locals and making it an unfair labor practice for a union to coerce a worker in collective bargaining.

Now, there is little doubt that realistic businessmen will welcome each of these provisions—as well as those of the more rigorous House bill. Big labor has been shooting up the town for long enough. If the sheriff halts the spree it will not be a case of fascism or a labor slave act, as some of the unionists have been wailing.

But the question here doesn't depend upon the validity of the various provisions. It is simply this: Shall we have some bill or no bill? The extremists grumbled that submitting the legislation piecemeal is, in effect, letting the President write his own law. Perhaps. But Mr. Truman, having publicly acknowledged the need for certain labor reforms, can hardly renege altogether.

He is almost sure to sign into law the bans on jurisdictional strikes and secondary boycotts, for example. And probably several of the other provisions. Senator MORSE realized this. According to his code, public service, not party politics, has first call.

An omnibus bill, turned down by the President, will probably die. The Senate can hardly summon enough votes to override a Truman veto. Does Senator TAFT want such a death on his conscience? Although some of the Republican tacticians may feel that the public, deprived of protection against rampant labor skulduggery, will vent its wrath on Mr. Truman, they may be wrong.

It may be the Labor Committee spurners of the Morse plan, who will feel the anger of long-suffering businessmen, are condemned to added months of bullying from big labor.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Minnesota yield for the purpose of permitting the suggestion of the absence of a quorum?

Mr. BALL. I yield.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	O'Daniel
Baldwin	Hawkes	O'Mahoney
Ball	Hayden	Overton
Barkley	Hickenlooper	Pepper
Brewster	Hill	Reed
Bridges	Hoey	Revercomb
Brooks	Holland	Robertson, Va.
Buck	Ives	Robertson, Wyo.
Bushfield	Jenner	Russell
Butler	Johnson, Colo.	Saltonstall
Byrd	Johnston, S. C.	Smith
Cain	Kem	Sparkman
Capehart	Knowland	Stewart
Capper	Langer	Taft
Chavez	Lodge	Taylor
Connally	Lucas	Thomas, Okla.
Cooper	McCarran	Thomas, Utah
Cordon	McCarthy	Thye
Donnell	McFarland	Tydings
Downey	McGrath	Umstead
Dworshak	McKellar	Vandenberg
Eastland	McMahon	Wagner
Ecton	Magnuson	Watkins
Ellender	Malone	Wherry
Ferguson	Martin	Wiley
Flanders	Millikin	Williams
Fulbright	Moore	Wilson
George	Morse	Young
Green	Murray	
Gurney	O'Conor	

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent, because of illness in his family.

The Senator from Ohio [Mr. BRICKER] is necessarily absent.

Mr. LUCAS. I announce that the Senator from West Virginia [Mr. KILGORE] and the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senator from South Carolina [Mr. MAYBANK], and the Senator from Arkansas [Mr. MCCLELLAN] are absent by leave of the Senate.

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

Mr. IVES. Mr. President, a few days ago, when the pending amendment was earlier under consideration, I moved to amend the bill as it was originally presented to the Senate in such a way as to strike out the words "interfere with" which appear on line 6, page 14. I am merely rising to propound an inquiry, to ascertain whether that amendment is in effect, and whether the bill before us is accurate or inaccurate, or whether it is to be construed as not including the words.

The PRESIDING OFFICER. The Chair has been advised that the amendment offered by the Senator from New York has been agreed to.

The time for debate having expired, the question is on agreeing to the amendment, as modified, proposed by the Senator from Minnesota [Mr. BALL] for himself, the Senator from Virginia [Mr. PYRD], the Senator from Georgia [Mr. GEORGE], and the Senator from New Jersey [Mr. SMITH], inserting on page 14, line 6, after the word "coerce", certain language. The clerk will state the amendment.

The CHIEF CLERK. On page 14, line 6, after the word "coerce", it is proposed to insert the following: "(A) employees in the exercise of the rights guaranteed in section 7: *Provided*, That this subsection shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B)."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WHERRY. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Maine [Mr. WHITE] is necessarily absent and is paired with the Senator from Pennsylvania [Mr. MYERS]. If present and voting the Senator from Maine would vote "yea," and the Senator from Pennsylvania would vote "nay."

The Senator from Ohio [Mr. BRICKER] is necessarily absent and is paired with the Senator from West Virginia [Mr. KILGORE]. If present and voting the Senator from Ohio would vote "yea," and the Senator from West Virginia would vote "nay."

The Senator from New Hampshire [Mr. TOBEY] is necessarily absent because of illness in his family.

Mr. LUCAS. I announce that the Senator from South Carolina [Mr. MAYBANK], who is absent by leave of the Senate, is paired on this vote with the Senator from Arkansas [Mr. MCCLELLAN], who is absent by leave of the Senate. If present, the Senator from South Carolina would vote "nay," and the Senator from Arkansas would vote "yea."

The Senator from Pennsylvania [Mr. MYERS], who is absent on public business, is paired with the Senator from Maine [Mr. WHITE]. If present, the Senator from Pennsylvania would vote "nay," and the Senator from Maine would vote "yea."

The Senator from West Virginia [Mr. KILGORE], who is absent on public business, is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present, the Senator from West Virginia would vote "nay," and the Senator from Ohio would vote "yea."

The result was announced—yeas 60, nays 28, as follows:

YEAS—60

Baldwin	Fulbright	Overton
Ball	George	Reed
Brewster	Gurney	Revercomb
Bridges	Hawkes	Robertson, Va.
Brooks	Hickenlooper	Robertson, Wyo.
Buck	Hoey	Russell
Bushfield	Holland	Saltonstall
Butler	Ives	Smith
Byrd	Jenner	Stewart
Cain	Kem	Taft
Capehart	Knowland	Thye
Capper	Lodge	Tydings
Cooper	McCarthy	Umstead
Cordon	McKellar	Vandenberg
Donnell	Malone	Watkins
Dworshak	Martin	Wherry
Eastland	Millikin	Wiley
Ecton	Moore	Williams
Ferguson	O'Conor	Wilson
Flanders	O'Daniel	Young

NAYS—28

Aiken	Johnson, Colo.	Murray
Barkley	Johnston, S. C.	O'Mahoney
Chavez	Langer	Pepper
Connally	Lucas	Sparkman
Downey	McCarran	Taylor
Ellender	McFarland	Thomas, Okla.
Green	McGrath	Thomas, Utah
Hatch	McMahon	Wagner
Hayden	Magnuson	
Hill	Morse	

NOT VOTING—7

Bricker	Maybank	White
Kilgore	Myers	
McClellan	Tobey	

So the amendment offered by Mr. BALL on behalf of himself, Mr. BYRD, Mr. GEORGE, and Mr. SMITH was agreed to.

Mr. BALL. Mr. President, in behalf of myself, the Senator from Virginia [Mr. BYRD], the Senator from Georgia [Mr. GEORGE], and the Senator from New Jersey [Mr. SMITH] I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 4, line 16, after the word "employers", where it appears the second time in the line, it is proposed to insert the following: "in the same metropolitan district or county."

On page 5 strike out lines 8 and 9 and insert in lieu thereof the following:

(4) The term "representatives" whether used in the singular or plural means any individual or a labor organization irrespective of whether or not it is a constituent unit of or an affiliate of an organization, national or international in scope, composed solely of employees of one employer, or of employees employed in the same metropolitan district or county by different employers.

On page 16, between lines 15 and 16, insert the following:

(6) To coerce or compel or attempt to coerce or compel (irrespective of whether or not such coercion or compulsion is authorized by any provision in its constitution or bylaws) a labor organization which is a constituent unit or an affiliate of such labor organization, or any other labor organization, which acts as the representative of employees for collective-bargaining purposes to include or omit or to seek the inclusion in or omission from any collective-bargaining agreement of any particular terms or provisions relating to wages, hours of work, or other conditions of employment.

Mr. BALL. Mr. President, the amendment just read is the one lettered (B) at the bottom, which is on the desks of all Senators. Briefly it deals with one of the major problems in the whole field of labor relations, namely, the tremendous growth of, and tendency toward, industry-wide bargaining, on both sides of the bargaining table, which has been noted within the last few years. Such industry-wide or regional bargaining is in no way prohibited or restricted. It does, however, vest bargaining rights of unions in the local union, making it an unfair labor practice for the international or parent body to coerce such union in the exercise of its rights in bargaining with an employer. It makes it an unfair labor practice for an international union, irrespective of any provisions that might be contained in its constitution and bylaws, to prevent the local union from making a settlement and forcing the local to insist upon inclusion of any particular terms in a contract.

Mr. LODGE. Mr. President, will the Senator yield, or would he prefer to complete his statement?

Mr. BALL. I was going to describe briefly how the amendment would fit into the bill, and its effect on the present law. I should then be glad to yield to the Senator from Massachusetts.

The first part of the amendment inserts certain language in the definition of "employer," on page 4, beginning in line 7 of the bill:

The term "employer" includes any person acting in the interest of an employer, directly or indirectly.

A list of exceptions follows. The proviso is new. It is not found in the present Labor Relations Act. As stated in the bill, the proviso reads:

Provided, That for the purposes of section 9 (b) hereof—

Section 9 is the section dealing with the elections held by the NLRB to select bargaining agents for the employees—

the term "employer" shall not include a group of employers, except where such employers have voluntarily associated themselves together for purposes of collective bargaining.

At present, as Senators will recall, the law restricts the bargaining unit. The language of section 9 of the bill provides that the Board may determine the appropriate bargaining unit in which the election shall be held, to select bargaining representatives for the employees. It says that it may be the plant unit, the craft unit, or the employer unit. The debate on the floor, when the act was passed, indicated clearly that it was the purpose of Congress to provide that the maximum unit should be the employees of a single employer. However, in practice, the Board acting under the language which reads, "The term 'employer' includes any person acting in the interest of an employer, directly or indirectly," held that an "employer" could mean an association of several employers.

In certain cases where there has been a history of regional or industry-wide bargaining, such as the logging industry on the west coast, or the shipping industry, the Board has considered an association of employers organized and acting in the interest of the employers in collective bargaining a single employer unit. Consequently it will hold elections to deter-

mine a bargaining representative covering all employees of all employers within the association, as a single unit.

The effect has been that, particularly in the canning industry on the west coast, 30 companies may be lumped together as a single unit. In half a dozen of the plants, the employees may vote for an AFL union as their representative, while the employees in the other 24 plants may vote overwhelmingly for the CIO. Because they have an over-all majority the CIO then represents all employees in the 30 plants, even though the employees of 6 of the employers have actually voted for a different union to represent them. The first amendment merely inserts in the proviso, on line 16, after the word "employers," the following: "in the same metropolitan district or county."

This phrase would confine the Board's discretion in certifying an association of employers as an employer-bargaining unit, for the purpose of holding an election, to employers who are in the same metropolitan district or county. If employers outside the metropolitan district or county are included, separate elections must be held.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. BALL. I yield to the Senator from Massachusetts.

Mr. LODGE. As I understand, this is the amendment which is described on page 51 of the report under the heading "More autonomy for local unions." Is that correct?

Mr. BALL. That is correct.

Mr. LODGE. I should like to ask the Senator a question. As I understand the amendment, it would require the National Labor Relations Board to certify as bargaining agent unions containing only the employees of a single employer, or of different employers within the same metropolitan district or country?

Mr. BALL. Yes. It would prohibit the Board going beyond those limits and certifying, as a single bargaining unit, an association which included employers outside the single metropolitan district or county. They could certify a single employer within the county. They have that discretion now, and they will continue to have it.

Mr. LODGE. As I understand, the change this amendment would make would be to prevent the certification of a union, or group of unions, of employees of more than one employer, covering an area outside the metropolitan district or county. Is that correct?

Mr. BALL. Yes. The effect of it would be to prevent the Board's holding a single election on a multiple-employer basis outside the prescribed geographic limits. It is primarily designed to deal with elections, and of course with the certification which follows the election. It prevents treating as a single bargaining unit the groups of employees of different employers, unless these employers are within the same metropolitan district or county. The Senator may be thinking of the textile industry. A number of employers in one metropolitan district or county could be certified, if the employers had voluntarily organized for purposes of collective bargaining as a single city-wide unit. Mills in Massachusetts, New Jersey, and North Carolina could not be included in a single unit.

Mr. LODGE. They could even go outside a certain metropolitan area in one State?

Mr. BALL. That is correct, in the certification of bargaining representatives. There is nothing in the amendment which, so long as bargaining representatives are chosen, would interfere in any way with the unions chosen as bargaining representatives voluntarily getting together for purposes of regional or even industry-wide bargaining with employers.

Mr. LODGE. I think we understand each other so far. I appreciate that the certification of a national or an international union is prevented only when the local union voluntarily desires its own certification. Is that not correct?

Mr. BALL. Under the present law, or what?

Mr. LODGE. No; under the proposed amendment.

Mr. BALL. Under the proposed amendment bargaining rights would be vested in the local union, or in the local union representing employees of a single employer.

Mr. LODGE. If the local union desired to do it?

Mr. BALL. Yes, that is because—if I may add this—the Board in the case of certain internationals, particularly the steelworkers of the CIO and the United Auto Workers, has gotten into the habit of certifying the international union as the bargaining agent regardless of which particular local organized the employees of the plant concerned. Thereby bargaining rights are vested not in the local union or in the union representing the employees of that particular employer, but in the international union.

Mr. LODGE. I realize that under the amendment, certification of a national or an international union is prevented when the local union voluntarily desires its own certification. I ask whether the word "voluntarily" should not be put in quotation marks, because we must recognize that while there has been a well-known abuse, and we ought to correct it, in certain places the local union can be acting under outside pressure, and would not be a free agent, and that the conditions which have permitted bargaining over a wider area have had some beneficial results.

Mr. BALL. The word "voluntarily" appears in the proviso on page 4, and that relates only to an employer. The present language of the bill gives any individual employer the right to insist that unions deal with him rather than an association. I refer to the provisions in section 8 (b) (3) which require unions to bargain collectively. In other words, this bill makes it an obligation of unions as well as employers to bargain. All that the language in section 2, subsection (2) does, is to give to each individual employer the right to decide for himself whether he wants to bargain through a group, through an employer association, or to bargain for himself. Our amendment places only one limitation on that right. It restricts the bargaining through employers' associations to employers doing business in the same metropolitan district. The effect of the language now in the bill is to give every individual employer freedom of choice as to how he wants to bargain. All we seek to do in the second part of the amendment is to give the local union that same freedom of choice as to whether it wants to bargain individually for itself, or whether it wants to associate itself with other constituent units of its parent body in some regional or industry-wide union-bargaining committee.

Mr. LODGE. The point I make is that that is all very well when the local union is a free agent, but can we not conceive that when the local union may be responding to some outside pressure, it may not be all right.

Mr. BALL. May I ask, what kind of outside pressure is the Senator talking about? Pressure from the international or from one of the employers?

Mr. LODGE. I was thinking about pressure from an employer, for example. Let me give a specific illustration. Take the question of shoe workers in a given area. I am advised by a well-informed source that at the present time there is one union organization of shoe workers that covers parts of New England in bargaining matters, and that since it has been in effect there have been fewer strikes than when they were all acting independently. My question to the Senator is this: If the pending amendment is agreed to will there not be an inevitable tendency in these unions to break off into small segments, with the added tendency to drive the industries out of the relatively high-wage areas into the relative low-wage areas, and then with the reverse tendency, to lower the wages everywhere?

Mr. BALL. No; I cannot agree with the Senator that that would be the effect of the amendment at all. If the local unions in New England are now organized to bargain on an industry-wide basis they can continue to do so under this amendment, but the choice would then be up to the local unions. If they do not want to do it, they do not have to.

Mr. LODGE. But would not this amendment change the situation? Otherwise there would not be any point in having it.

Mr. BALL. Absolutely; it changes the situation. It prevents the National Labor Relations Board from certifying as the bargaining agent of the employees, not the local, which the employees themselves control, but the international union. We leave it up to the local. If the local voluntarily wants to go along with a national union in bargaining, it can do so; but if it has a peculiar local situation and thinks it can do better for itself, it can act for itself.

Mr. LODGE. If that happens, does it not necessarily follow that the plants in which the local union bargained would have a higher wage than the plants in which the union operated under some outside influence? Would not the almost inevitable result be that some industries would move away from the high-wage localities to low-wage localities, thus creating a differential, not between the North and South or the East and West, but between high-wage communities and low-wage communities?

Mr. BALL. No; I think the Senator's correspondent is completely misinformed about the effect of the amendment. It might very well result in some local plants being well above the national average. Some companies, for instance, have an incentive-wage and profit-sharing system and all kinds of things that enter into the compensation of the employee that the local may want to preserve, perhaps for a somewhat lower hourly rate than the other companies, but in order to make the total compensation of their members higher. Yet if the international comes in and supersedes the local—we had a case of that kind in the UAW, which had served notice on employers that the national union was going to eliminate any kind of incentive systems, a plan which I think is good in industry, on the whole—the local bargaining committee now has no choice in the matter.

Furthermore, there may be a plant in a rural community where the procedure is under a freight handicap and competing with companies which are located in larger metropolitan districts. On the other hand, if the employer is in a community with lower living costs, he may have a slight wage differenial to put him on an even competitive basis and compensate somewhat for the freight differential. If there is industry-wide bargaining under the terms and the kind of practices we have seen in the case of the steel workers and the auto workers, the international will insist then on identical contracts in the great metropolitan cities and in the small rural communities. The result is that the international union will force out of business the plants in the smaller rural communities. It is my conviction that the unions representing employees of those plants have a right to determine for themselves the kind of contract they want. I do not think the international or the employees or employers in other plants have any business dictating to them the terms on which they shall work.

Mr. LODGE. The Senator's statement in effect seems to mean that he thinks this amendment will correct some of the evils which have developed, and that it will be in the interest of the small rural communities. I want to correct the evils that have developed, and I want to help the small rural communities; but I do not see why, in order to correct the evils which have arisen and in order to help the small rural communities, we have to undo whatever good has been done by the uniformity in wage making, and why we have to interfere with the nonrural communities where the general interest has been served by people being able to get together on wage matters. It seems to me that the job of statesmanship is to correct one evil without causing another evil.

Mr. BALL. We already give the individual employer the option of bargaining in concert with other employers or bargaining for himself with the representative of the employees. He does not have to join in industry-wide negotiations. The Senator from Massachusetts is then taking the position that if we give the employee exactly the same freedom and independence of choice that somehow we are going to destroy something of value in the system. I cannot see his point.

Mr. LODGE. No; I am not taking that position. I am trying to ask the Senator—and I think all my statements have been in the form of questions—I am trying to ask the Senator what effect his amendment is going to have in industries like the shoe industry and the textile industry where industry-wide bargaining in some instances is reported to have had a generally stabilizing and beneficial effect. I am seeking information. The Senator replies by citing cases in the steel business and the logging business, which I am sure are justifiable, but he does not deal with the situation which I am discussing.

Mr. BALL. I do not recall that we had any testimony relating to the shoe industry.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BALL. In a moment. Let me say that if the members of local unions in the shoe industry are convinced that industry-wide bargaining is to their interest, they are at perfect liberty to continue it under the proposed amendment.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. TAFT. As to the shoe industry, it never has had Nation-wide collective bargaining.

Mr. LODGE. I did not say that it had.

Mr. TAFT. There has never been more than 35 percent of the entire industry in any collective-bargaining agreement. None of the Ohio plants have ever been in a Nation-wide bargaining agreement; so it is not a parallel industry to that of steel.

Mr. LODGE. The Senator from Ohio is unwittingly putting words into my mouth which I did not use. I am talking about parts of the New England shoe industry. I did not say that it was in a Nation-wide bargaining arrangement.

Mr. BALL. Mr. President, I wish to finish briefly, if I can, because I understand that the Senate is about to take up an appropriation bill.

Mr. REVERCOMB. Mr. President, will the Senator yield on the point which he has discussed?

Mr. BALL. I yield.

Mr. REVERCOMB. I am very much interested in that subject, and particularly in the point raised by the Senator from Massachusetts with respect to localizing bargaining for wages or improvements of conditions.

I have in mind the situation pertaining to some of the glass industries. The employees in that industry make their agreements with an association of glass manufacturers. Some manufacturers are not members of the association. Separate agreements are made with those who are not members of the association. What effect would the Senator's amendment have on the case of which I speak?

Mr. BALL. I am familiar with the glass-blowers' industry. The amendment simply means that the bargaining rights are vested in the local union of employees of the individual employer in the particular community. If all the local unions wished to bargain with a Nation-wide association they would be perfectly at liberty to do so. But no international union would have the power to coerce them or force them to enter into industry-wide bargaining if they did not wish to do so. At the present time the employer is free to refuse to enter into industry-wide bargaining.

Mr. REVERCOMB. Would the amendment, if enacted into law, disturb the situation which I have described in the glass industry, where the organization may deal with members of an association en bloc?

Mr. BALL. I believe it would somewhat change the pattern. As bargaining is now carried on, bargaining rights are in the international union. Under my amendment the bargaining rights would be vested in the local union.

Mr. REVERCOMB. Let me say to the Senator that the arrangement which I describe has been very satisfactory in that particular industry up to the present time. There have been no work stoppages for years among the glass workers.

Mr. BALL. I am familiar with the situation in that industry. Bargaining has been carried on in that fashion for 50 years.

Mr. REVERCOMB. Why disturb a situation which is so satisfactory?

Mr. BALL. It would not be disturbed in the least. If the local unions think it is satisfactory, they can continue it.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. TAFT. I understand that in the glass industry the system of industry-wide bargaining long antedated the Wagner Act and does not depend upon a certification. Bargaining has been carried on, generally speaking, without certification, a situation which is also true of the coal industry. Nothing in this amendment would prevent it, except that if the local union wished to bargain for itself with a particular company, it could do so. Suppose that a strike had continued for a long time, and the local union thought it was utterly ridiculous and without basis, and wanted to sign up with a certain employer. It could sign up with that employer. That is the effect of the amendment. Whether the union is certified or not makes no difference. The local unions could still associate themselves in a Nation-wide collective bargaining agreement with the employers if they saw fit to do so. The Wagner Act is not based upon Nation-wide bargaining. The largest unit contemplated by the Wagner Act is the unit of employees of a single employer. That is all the Wagner Act was ever aimed at. It never protected Nation-wide bargaining. It has been held in some cases that where employers have voluntarily associated themselves together for collective bargaining, one bargaining agent on the labor side may be certified to deal with the employers' association. But if the employers no longer wish to associate themselves together, then there is no Nation-wide bargaining today by law. Nation-wide bargaining is not protected by the Wagner Act, and this amendment does not change the present condition, except in one respect. The international union

cannot say to a local, "We refuse to let you sign a contract unless you do what we say." That is what the steel union is doing today. That is what the auto workers' union is doing today. More than a thousand strikes were called last year in the steel industry because the international union insisted that every steel workers' union should strike unless it obtained the $2 which the international union insisted upon. That situation continued until Mr. Murray settled with Big Steel.

All this amendment does is to provide that unions which wish to settle with their own employers may do so if they are dissatisfied with the progress of Nation-wide bargaining, or have never been in it, as may frequently be the case.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. REVERCOMB. Then in the situation which I have described there is no limitation which would compel bargaining within the metropolitan area or county?

Mr. BALL. Not in this amendment.

Mr. REVERCOMB. And in the instance of the glass workers they could carry on their present method of bargaining with the association or with individuals, as they might choose?

Mr. BALL. That is correct. Of course, the outstanding example of industry-wide bargaining is the United Mine Workers in the coal industry. So far as I know, Mr. Lewis never went before the National Labor Relations Board to obtain a Nation-wide certification for the mine workers. This amendment would affect that situation only if there were an individual coal operator whose local employees did not wish to go along on a Nation-wide strike, but wished to settle with him. That is about all it means.

The second part of the amendment redefines the term "representative." Of course, that takes away from the National Labor Relations Board its present discretion to certify the international union or any other kind of union organization it wishes to certify. The amendment simply provides that a representative must be a union or organization composed solely of employees of one employer, or of employees employed in the same metropolitan district or county by different employers. All the amendment does is to vest collective bargaining rights in the local union, in which the employees whose rights are affected, and who have to bear the brunt of any dispute which develops, can participate in making the decisions so vital to them.

Mr. REVERCOMB. Mr. President, will the Senator yield to clarify one point?

Mr. BALL. I yield.

Mr. REVERCOMB. Such an arrangement would not be compulsory upon the employees, would it, unless they elected to adopt it?

Mr. BALL. It would be compulsory on the National Labor Relations Board. The National Labor Relations Board could certify only a local union as the bargaining representative. Then if the local union wanted to call in the international representative to do its bargaining, it would be perfectly at liberty to do so. But the bargaining power would be vested in the local union, and the NLRB could not, as it has been doing, certify, not the local union which is composed of the employees directly affected, and who voted in the election but the international union—the UAW, the United Electrical Workers, or the steelworkers' international union.

Mr. REVERCOMB. However, the local union could elect to have the international organization act for it.

Mr. BALL. Yes. One abuse which the amendment would tend to curb is this: Among the steel workers, who in some places have a union shop and in some places maintenance of membership with the check-off, the dues go not to the local union, but to the international, which then sends back the local's quota. The same thing is true in the coal industry. The check-off goes to the headquarters of the United Mine Workers of America, and they send a part of the funds back to the local. Senators can see how much real power the locals have in that kind of a situation, when their funds are completely dependent on the international union.

The final section of the amendment simply inserts on page 16 a definition of a new unfair labor practice for labor organizations. It is made an unfair labor practice for the international union to seek to coerce or compel a local union, which has the bargaining rights, to insert any particular provision in a contract or to omit any particular provision. It makes such action an unfair labor practice regardless of any provision in the union's constitution or bylaws.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. FERGUSON. Does the language of the amendment provide a method of procedure for the local, depending upon whether it desires the international or larger unit to act for it? Is there any method provided whereby the local can object and make its objection final?

Mr. BALL. The local could protect itself through the regular procedure of filing a charge. If the international attempts to dictate to the local against its wishes, the local can file an unfair labor practice charge with the Board.

Mr. FERGUSON. Does the Senator mean that the local would be compelled to file an unfair labor practice charge with the Board, otherwise the Board would have no jurisdiction over it?

Mr. BALL. Yes. The Board never acts except on the filing of a charge.

Mr. FERGUSON. I will give the Senator a hypothetical case. The international union as a rule arbitrates cases in which a local becomes involved in a dispute. The international union sends a representative as an arbitrator or as a mediator. Can the local then determine that it does not desire the international arbitrator or mediator to act?

Mr. BALL. That is an unusual hypothetical case. I never heard of using an international organizer——

Mr. FERGUSON. I am not talking about an organizer; I am talking about a representative of the international union.

Mr. BALL. A number of years ago the International Typographical Union had an agreement to arbitrate grievances on the national level with the American Newspaper Publishers' Association.

Mr. FERGUSON. That is correct.

Mr. BALL. Every local signing the same contract was bound by it so they would go right along in that case. Another situation developed in the ITU last year. Its convention adopted a resolution which required all locals to insert in their contracts, and to require all employers to agree to it, which would have made it a part of the contract, a provision compelling employers and employees to conform to the constitution and bylaws of the ITU, past, present, and future. The intention was to compel all locals to go along with that provision. Of course, the employers objected to signing a blank check. They did not know what the bylaws would be in the future. As a matter of fact, several strikes resulted. Under the amendment the International could not threaten a local with any kind of retaliatory action if the local said it would not go along and insist that its particular employer would have to accept such a contract provision.

Mr. FERGUSON. Mr. President, will the Senator yield for another question?

Mr. BALL. I yield.

Mr. FERGUSON. Suppose, without coercion, a contract is brought about in the regular bargaining way providing that the international shall be the arbitrator of disputes between the negotiators. When can the local determine that it does not want to continue that contract, but wants to change it and become its own sole bargaining agent?

Mr. BALL. It can do so whenever the contract expires. If the local union delegates its authority to the international to negotiate a contract, the local would be bound by the contract for its duration. Whenever it expired the local autonomy would again prevail and the local could make its own decision.

Mr. FERGUSON. And make a new contract?

Mr. BALL. That is correct.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. REVERCOMB. This rather practical phase addresses itself to me. If this amendment should be adopted we would see the situation of one local bargaining and fixing wages at one level in a community, while close by another local might be bargaining in the same industry, fixing the wage. Is that correct?

Mr. BALL. That might possibly happen.

Mr. REVERCOMB. I will ask the able Senator whether, if the amendment should not be agreed to, the bill would still permit the National Labor Relations Board to appoint the over-all union, the national organization, as the bargaining agency.

Mr. BALL. Yes; there is nothing in the present law to prevent it. As the Board has been doing it, I assume it would continue.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. THOMAS of Utah. I should like to ask the Senator from Minnesota a question. If I correctly understand the

statement of the Senator from Minnesota, he is explaining the new amendment on the basis of a voluntary arrangement on the part of everyone concerned. Under the amendment will conditions be any different from what they are today, if everyone acquiesces in the arrangements as they exist; or must we in some way upset the present arrangements?

Mr. BALL. Of course, if everyone acquiesced, the amendment would produce no change, but I think things would be very different. For instance, one difficulty in the steel strike last year was that the international was the bargaining agent in its negotiations with Big Steel. The international ordered all the locals out on strike, even though many of them were bargaining with companies which were manufacturing products having very little or no relation to steel. Some were fabricating companies; they were not basic steel companies. The locals were all ordered out on strike. Under the orders of the international, none of them could settle except on terms agreed upon with Big Steel, even though conditions might be totally different. I think that situation could not have occurred under the amendment, because the locals would have preferred to exercise the bargaining power themselves. If the international ordered them not to settle, they could do so or not do so, as they pleased.

Mr. THOMAS of Utah. Would that change actually come about if the organization in the steel industry should continue as is and if the unions acquiesced?

Mr. BALL. Yes. If all the locals wanted to delegate all their power to a policy committee, there would be exactly the same situation as we have today, except that I think that under further language of the bill it is made an unfair practice for the union to refuse to bargain with an individual employer. So there would be a little more latitude for an employer in getting the union to bargain with him than he had in 1946.

Mr. THOMAS of Utah. In other words, the employer would have more strength in arguing for an individual union to use its voluntary right to break with the understanding or agreement it had with the international union?

Mr. BALL. No; I do not think he would have any more than he has under the language of the bill without this amendment. He can argue now. But, as a matter of fact, as the Senator knows, we were told in the hearings that eight locals of the steelworkers' union in the Cincinnati area were so disgusted with dictation from the international that they have broken away and become an independent union. They had a difficult time in doing so, because the NLRB had certified the international as the bargaining agent and they had to go through quite a fight.

Mr. THOMAS of Utah. It left them without a certified bargaining agent, did it not? That is about what happened.

Mr. BALL. What happened was that they had to start over again as an independent union and win an election, when actually they had won it in the beginning.

Mr. THOMAS of Utah. I think I have an understanding of it, but I should like to know if this conclusion to my understanding is correct: If everything is on a voluntary basis—I will use the steel organization as an illustration—things may remain just exactly as they are, providing the individual local unions want the big union to be certified and to bargain for them?

Mr. BALL. No; the big unions could not be certified. They could go on and have their bargaining relationship remain the same. They could still turn over their bargaining to the international officers. I am sure that under this language the NLRB could not certify the international as the bargaining agent.

Mr. THOMAS of Utah. Then the amendment is strong enough to break up the present bargaining arrangements in the steel industry; is it not?

Mr. BALL. I do not know what the Senator means by "break up." As a matter of fact, the steel industry does not bargain through an employer committee; I mean there is not really industry-wide bargaining in the sense that the employers have a bargaining association, or even desire to bargain in concert. In the steel industry the International Steel Workers' Union has union-wide contract terms which they insist upon with all the employers with whom they have bargaining rights, no matter what industry they are in. Some of them, I think, have even organized a baked-bean company.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. TAFT. I think it should be clear that there is no Nation-wide bargaining in the steel industry.

Mr. THOMAS of Utah. Mr. President, I referred to the steel industry because the Senator from Minnesota had referred to it. I am anxious to have an explanation so that we can understand exactly what the amendment will do to the present arrangements. The Senator has referred to the steel industry as an illustration. Probably we could refer to the coal industry as an illustration. But if we understand how the coal industry's bargaining arrangements grew up, getting mine after mine and mine after mine to come in, and if we then decide to go back to the old arrangements, I should like to understand about that. I am simply trying to get information so that we may understand what the consequences are to be.

I can see one consequence. Under the National Labor Relations Act, the theory is that the majority shall rule. Under this amendment it seems to me there would be brought about an arrangement whereby the majority of individual units would rule, instead of the whole.

Mr. BALL. Mr. President, I think that is what was intended in the original National Labor Relations Act. In the Senate version of the bil there was a provision permitting a multiple employer unit for bargaining purposes. But this provision was stricken out because the Congress wanted the maximum unit to be no larger than a single company.

All we say in this amendment is that the employees of an individual employer shall have the right to decide for themselves, by a majority vote, whether they want to go along with an international union's recommendations or whether they want a autonomous arrangement which they believe is best suited for them.

As the matter now stands, in the case of the steel workers and the automobile workers of the CIO, the local union cannot change the terms laid down by the national policy committee of the international union, except with the express consent of the international union.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. TAFT. In reference to the steel industry, let me say there is no Nation-wide bargaining but what the steel union does is to say, "No one can act until we settle with Big Steel, and we thereby shall set a pattern; and since we are then the certified bargaining agent for a thousand companies throughout the United States, we shall insist on those same terms with every other company."

Once they are the certified agent, the local union is utterly helpless if the employer will not give it what it wants or even if the local union is satisfied or is perhaps better off with what it already has; regardless of that, it is utterly helpless, because the international union will not permit any contract agreed upon by the local to become effective, until the international signs the contract.

The Senator from Minnesota has said, correctly, that what we are doing here is implementing the exact idea of the original Wagner Act, which was to say that the employees in dealing with the employers shall not be at the disadvantage of being a thousand men on their side, dealing with one man on the other side. Instead of that, the act intended that one man representing the union should deal with one man representing the employer. But the Wagner Act did not contemplate that an employer in an industry that is not even a part of the steel industry should have to bargain, not with its own employees as one, but with a union of 500,000 men bossed from Pittsburgh or some other place in the United States.

The result of what is worked out under present conditions is absolutely contrary to the spirit of the Wagner Act. Such practice is not collective bargaining. It has prevented collective bargaining.

There is case after case, in the smaller companies in the steel industry and in other industries, where the employees have told the employer, "We cannot and will not bargain with you because we are told by the international that we cannot sign except on the terms dictated by Mr. Murray, and we know you cannot agree to those terms."

So what we are correcting is an abuse which has grown up, contrary to the theory of the Wagner Act, to frustrate collective bargaining. Today every small company in the United States is utterly at the mercy of a union perhaps 20 times as big and 20 times as powerful as the

particular company, whereas originally the situation was the other way, when individual employees sometimes found themselves dealing with companies much larger and much more powerful than themselves.

So I believe I have stated the general theory of the purpose of the amendment. I shall explain it more in detail as time passes, in answer to questions which Senators may ask.

Mr. FERGUSON. Mr. President, will the Senator yield to me?

Mr. BALL. I yield.

Mr. FERGUSON. I should like to propound this question: At the present time, do the various locals of the United Mine Workers have individual contracts with their employers, or is there one contract? As I recall, John L. Lewis had signed a contract with Mr. Krug for all the units. Would that be permitted under this amendment, provided each union consented?

Mr. BALL. Yes; it would be, provided each union consented. As a matter of fact, in the coal industry there is a master contract, and then I think there are district contracts, and perhaps individual employer contracts, making some adjustments for different types of mines, and so forth.

Mr. FERGUSON. But there could be a master contract, provided each union consented; could there?

Mr. BALL. Yes; provided both the employers and the local unions voluntarily went along in regard to that kind of arrangement.

Mr. FERGUSON. Very well. I also wish to know whether an employer could prohibit such an arrangement, or whether the discretion would be solely in the local union either to provide for or to prevent such an arrangement.

Mr. BALL. We are giving both the individual employer and the local union freedom of choice.

Mr. FERGUSON. In that case, is it not true that there would no longer be——

Mr. BALL. As a matter of fact, the employer has such freedom now, theoretically, although it does not amount to much in the case of Mr. Lewis. But today under the present act, theoretically, the employer has freedom of choice. He cannot be forced by the National Labor Relations Board into a bargaining association. But the National Labor Relations Board can force the employees or the employer into an association-wide unit, even though they may not want to go into it.

Mr. FERGUSON. Then I understand that the present contract with Mr. Lewis, covering the entire field, exists because the individual employers desire to have it so at the present time.

Mr. BALL. As a matter of fact, there is an industry-wide agreement in the coal industry because the United States Government practically forced the southern operators to go along with it about 4 years ago. That is the only reason that it is in existence, and the Government is trying its best to make the southern operators go along with it now—against their will. Both Mr. Krug and Captain Collisson, according to the information which I have received, which I believe to be authentic, are compelling and forcing the southern operators, against their will. The southern operators do not think they have any business negotiating a contract at the same time and in the same negotiation with their competitors in the northern fields. They do not want to do it. But the Government, through Mr. Krug and Captain Collisson, is doing its best to force them or persuade them to abandon that position, and to go along on industry-wide bargaining, in spite of the fact that the House of Representatives, by a vote of 308 to 107, went much further than this amendment does and prohibited any industry-wide bargaining. Nevertheless, the executive branch of the Government is still trying to promote it.

Mr. FERGUSON. I should like to ask another question. If this amendment becomes a part of the law, would the present situation, insofar as Mr. Krug and Captain Collisson are concerned, be prohibited, provided the various mine owners objected?

Mr. BALL. Yes; absolutely—assuming that the Government ceases to be the employer. The language in the bill as it stands, even without this amendment, provides that the employer must voluntarily associate himself. If he wishes to act independently, or if any group of them wish to separate from the Nation-wide committee, they would have a perfect right to do so, under the bill, if it is passed in its present form. But even though individual operators would be free to withdraw from the association and act individually, there is nothing in the bill, unless this amendment passes, to prevent Lewis, contrary to the wishes of the locals, from insisting that all operators sign the national agreement. Then the executive branch of the Government would be violating the law if it told the operators to ignore the wishes of their locals and sign a uniform contract.

Mr. FERGUSON. If it tried to have one over-all contract?

Mr. BALL. That is correct.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. REVERCOMB. The Senator, in answering the Senator from Michigan, has developed a point in which I was very much interested, and it summarizes itself, does it not, as follows, that before any bargaining can be done with respect to any individual employer, both the individual employer and the local union jointly must consent to the bargaining?

Mr. BALL. I would say that is its legal effect, but as a matter of fact, where there is industry-wide bargaining, actually the parties proceed just as they are doing now, except in the case of an individual local union or an individual employer who objects and says, "I don't want to go along."

Mr. REVERCOMB. If the Senator's amendment shall be agreed to, the local union must bargain with the individual employer, unless the employer consents, along with the local union, to go to the national organization?

Mr. BALL. That is the law now, for the employer. It is a one-sided obligation under the present act, on the employer, to bargain collectively, but there is no obligation on the employer to bargain collectively through an association of employers if he does not care to, under the present law, although in one or two cases the NLRB has rather stretched it.

Mr. TAFT. Mr. President, will the Senator yield for a question?

Mr. BALL. I yield.

Mr. TAFT. Is it not true that in the coal industry there never has been any certification?

Mr. BALL. That is correct.

Mr. TAFT. The locals of the United Mine Workers have authorized John L. Lewis to make a contract with all the employers together, and they have been able to do that, if they wish, because at present there is no certification. If the pending amendment were adopted, I would think the condition would be exactly the same. The local union would be certified, but they would be perfectly free to say to their employers, "We deal through John L. Lewis. You meet us through John L. Lewis."

Mr. REVERCOMB. That is the point I raise; if this amendment shall be agreed to, can the local still designate a national officer to represent them?

Mr. TAFT. They can.

Mr. REVERCOMB. And can the national officer represent them without the consent of the employer?

Mr. TAFT. Yes.

Mr. BALL. Oh, yes.

Mr. TAFT. Absolutely. They can send anyone they desire to negotiate, they can send John L. Lewis. There is a difference in the coal industry, as I see it. Let us take the case of the Ohio workers. Suppose they said, "John L. Lewis has gone too far. He is calling a strike absolutely without justification, and we do not want to go along with him any more." They can sign up with their own employer if they wish to do so.

The effect of giving the power proposed is that we will force the national representatives to be reasonable in dealings, to be reasonable in calling strikes, and so long as they are reasonable, I see no reason to think that a local union would break away from any national union of which it is now a member. But it would have that right, and I think it would exert a very wholesome restraint on the national representatives who lay down fiats and insist that unless their particular views are complied with, there will be a strike throughout the entire United States.

Mr. REVERCOMB. Mr. President, will the Senator yield for one further question, although it may be repetitious?

Mr. BALL. I yield.

Mr. REVERCOMB. The local can designate any national officer, who may act for the local or any group of locals designating him, without the consent of the employer?

Mr. BALL. That is correct.

Mr. TAFT. That is absolutely correct.

Mr. PEPPER. Mr. President, will the Senator from Minnesota yield?

Mr. BALL. I yield.

Mr. PEPPER. I ask the Senator if he does not think that the effect of the amendment would be to break down the present tendency toward a Nation-wide wage scale. I will apply that. I see that there are on the floor at the present time many Senators who come from industrial States of the Union. Some of those States have lost industries to the South. I want to see southern industry grow, but I never have advocated any appreciable disparity between southern wages and northern wages. I think our workers are worth as much as the workers in any other section of the country.

Under the present system, where there is a national union as the bargaining agent for all the unions in an industry, Nation-wide, is there not a greater tendency to keep something like a uniform wage scale throughout the country, and to give employers no incentive to take advantage of a competitor by beating down the wage rate in a given area or in a given industry, whereas under the amendment now proposed by the Senator from Minnesota, for all practical purposes there would begin to be a greater discrepancy and a greater disparity in the wage levels throughout the Union, and would not employers seek advantage of their competitors by trying to get a lower wage scale in their particular plants, rather than, as at the present time, having to gain their market by improvement in techniques and in managerial superiority, rather than at the expense of the wage scale in a particular plant?

Mr. BALL. I think the situation will remain just about as it is now, when there are certain patterns, sometimes regional differentials, but generally in a given area wages for a given type of work are about the same, except in certain marginal plants which, for various reasons, are not able to compete without certain differentials.

The only effect of the amendment would be to give employees in the marginal plants, in the North or in the South, in a rural community, perhaps, a chance, if they do not want to go along with the rigid national wage scale, to make some changes in it. I do not think that in the long run it would lead to wage cutting or deterioration of wage standards in the least. I think it would tend to arrest the tendency of the great international unions to impose a single contract on an entire industry and all its segments, regardless of tremendous differences in operating situations, in living costs, costs of raw materials, and rate costs, in different areas of the country and in different locations. I think there is just as much danger—indeed, far more danger—in that tendency than there is in the possibility that, under the amendment, here and there an individual employer might get a little better deal than some of his competitors. There is also the possibility that here and there a union may get a better deal than it got elsewhere.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. BALL. I yield; but I will say to the Senator that I should like to conclude so that the Senate may take up the Labor appropriation bill.

Mr. PEPPER. Is it not an inevitable effect, and is it not a corollary of what the able Senator from Minnesota has just said, that if the situation he envisages prevails there will be a tendency on the part of industry to try to move away from the areas where there are strong unions and high-wage rates to areas where there are weaker unions, and where they could get a lower-wage rate, and take advantage of a competitor through the low-wage scale they will be able to enjoy in such an area?

Mr. BALL. Today there is only one area in the country, that from which the Senator from Florida comes, where unions are not strong and growing in strength, though even in the South I think they are growing in strength. I do not think the union situation would be a major factor in any industry.

The PRESIDENT pro tempore. The Chair asks the Senator from Minnesota if he wishes to have the pending amendments considered en bloc.

Mr. BALL. I ask unanimous consent that the pending amendments be considered en bloc.

The PRESIDENT pro tempore. Without objection——

Mr. LUCAS. Reserving the right to object, may I inquire just what that means?

Mr. BALL. The amendment is in three parts, but it deals with one problem only.

Mr. LUCAS. Is it in reality only one amendment?

Mr. BALL. It is one amendment, but it is in three parts. I suppose under the rules it could be separated if any Senator desired.

Mr. TAFT. Even though we agree to consider the amendments en bloc, a motion to separate might be in order later.

The PRESIDENT pro tempore. Such a motion would be in order.

Mr. LODGE. There are three amendments, and all three of them together embody the subject matter treated on page 51 of the report under the title "More Autonomy for Local Unions." Is that correct?

Mr. BALL. That is correct.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the amendments will be considered en bloc.

APPROPRIATIONS FOR DEPARTMENT OF LABOR, FEDERAL SECURITY AGENCY, ETC.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 2700, making appropriations for the Department of Labor, Federal Security Agency, and related independent agencies.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from California that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of House bill 2700?

Mr. McCARRAN. Mr. President, reserving the right to object, is it the intention of the Senator from California that the Senate proceed this afternoon with the consideration of the appropriation bill, which involves the appropriation of nearly $2,000,000,000, to be expended upon a great many different items? If so, I shall certainly object; and I do object, unless it be understood that the bill shall go over until the convening of the Senate on Monday.

Mr. KNOWLAND. I may say to the distinguished Senator from Nevada that it is the intention of the junior Senator from California, who is in charge of the appropriation bill, to ask the Senate to proceed to the consideration of the bill. It was reported to the Senate on April 22, and it has rested on the calendar during the intervening period. Other appropriation bills are to follow immediately upon the heels of this bill, and, unless it is possible to expedite them, there will be a jam of appropriation bills. For that reason, it is the intention to proceed forthwith.

Mr. McCARRAN. I object.

The PRESIDENT pro tempore. The Senator from Nevada objects.

Mr. KNOWLAND. Mr. Preisdent, I move that the Senate now proceed to the consideration of H. R. 2700, making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies.

The PRESIDENT pro tempore. The question is on the motion of the Senator from California that the Senate proceed to the consideration of H. R. 2700. The motion is debatable.

Mr. TAFT. Mr. President, I have no objection to consideration of the bill this afternoon, but I certainly have some objection to continuing with it next week. I ask the Senator whether, if protracted debate develops, he will object to a motion to restore the labor bill to the position of unfinished business?

Mr. KNOWLAND. I will say to my colleague from Ohio that if there are any unnecessary or undue delays, I should certainly not object to recurring to the consideration of the important labor legislation which the Senate is considering at this time. However, I believe that if we proceed with diligence to the consideration of the appropriation bill, we can conclude it, if not this afternoon, certainly early on Monday.

Mr. McCARRAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Flanders	McKellar
Baldwin	Fulbright	McMahon
Ball	George	Magnuson
Barkley	Green	Malone
Brewster	Gurney	Martin
Bridges	Hatch	Millikin
Brooks	Hawkes	Moore
Buck	Hayden	Morse
Bushfield	Hickenlooper	Murray
Butler	Hill	O'Conor
Byrd	Hoey	O'Daniel
Cain	Holland	O'Mahoney
Capehart	Ives	Overton
Capper	Jenner	Pepper
Chavez	Johnson, Colo.	Reed
Connally	Johnston, S. C.	Revercomb
Cooper	Kem	Robertson, Va.
Cordon	Knowland	Robertson, Wyo.
Donnell	Langer	Russell
Downey	Lodge	Saltonstall
Dworshak	Lucas	Smith
Eastland	McCarran	Sparkman
Ecton	McCarthy	Stewart
Ellender	McFarland	Taft
Ferguson	McGrath	Taylor

Thomas, Okla.	Vandenberg	Williams
Thomas, Utah	Wagner	Wilson
Thye	Watkins	Young
Tydings	Wherry	
Umstead	Wiley	

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from California to proceed to the consideration of H. R. 2700.

Mr. McCARRAN. Mr. President, with reference to the pending motion, I made the statement on the floor of the Senate and I repeat it, that I have no desire to interfere with consideration of the appropriation bill at a proper time. It is the intention of some of the minority members of the Senate Appropriations Committee to file this afternoon minority views bearing on some of the controversial items in the bill.

The bill has had extensive hearings at the hands of the Senate committee. The bill reflects very serious and severe cuts in the appropriations for all the bureaus and divisions of the Labor Department, from the Secretary's office on down. It reflects very serious cuts by the House of Representatives in the Federal Security item. During the consideration of the measure by the Senate Appropriations Committee we presented amendments which would restore appropriations allowed by the House to the amount of the Budget recommendations.

Mr. President, this is not a trivial matter. It is a matter which affects the entire Labor Department of the Government and seriously affects the operations of that Department. It is not as though merely a few dollars were cut off here or there. That would not make so much difference. But we are advised by the Labor Department that the reductions made in the appropriations will seriously cripple the work of that Department.

Mr. BALL. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BALL. I have been discussing with other Senators the possibility of obtaining a unanimous-consent agreement regarding House bill 2700, the Labor-Federal Security appropriation bill, 1948. I should like to propose a unanimous-consent request that when the Senate convenes at noon on next Monday it temporarily lay aside the unfinished business to take up House bill 2700 and proceed to a final vote on that bill not later than 2 o'clock p. m. on Monday.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota that when the Senate convenes on Monday next at noon it proceed to the consideration of H. R. 2700 and continue consideration of the bill to a final vote not later than 2 o'clock p. m. on the same day?

Mr. MORSE. Mr. President, reserving the right to object, I will say I have no objection to the motion to proceed with the appropriation bill. I think we should proceed with it and should dispose of it, but I do object to fixing a time for a final vote.

The PRESIDENT pro tempore. The Senator from Oregon objects to the unanimous-consent request.

The question is on the motion of the Senator from California [Mr. KNOWLAND].

Mr. McCARRAN. Mr. President, I will say that the bill could very well be proceeded with on Monday at noon, and it would go through very expeditiously, as other bills of this nature have gone through in times past. We might not have the bill completed early in the afternoon, but it seems to me that by giving the attention of the Senate to the bill beginning at 12 o'clock or thereabouts we could complete action on it before adjourning that evening. I see nothing to delay action on the bill, and certainly I, for one, would not delay it. The object of my now objecting to unanimous-consent request is not to delay action on the bill, but rather so that minority members of the Committee on Appropriations may have an opportunity to file their views this afternoon.

It might well be said perhaps by the Senator from California that we have been somewhat remiss in not having filed the minority views before. I do not know that my argument against such a statement would be very strenuous. Perhaps by reason of excessive work in committees we have not been on our toes, so to speak, in filing the minority views.

The minority views will reflect the attitude and desires of the minority members of the Appropriations Committee. They will be ready and will be filed sometime this afternoon. Then we shall be ready to proceed with the consideration of the bill. So far as the presentation of our views, item by item, as the items on the bill are considered by the Senate on Monday, it is not our intention to delay the matter for any considerable length of time.

Mr. President, during the afternoon it has been said that there would be no further business conducted by the Senate this afternoon excepting a discussion of the pending matter. Many Senators have left the Chamber. Some have left the city, so I am advised. The Senator from Pennsylvania [Mr. MYERS], who appeared before the committee and presented very strenuously his views on a certain item in the bill, is not present this afternoon. There may be other Senators who will not be able to be here.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. McCARRAN. I yield.

Mr. KNOWLAND. I merely want to say that the able Senator from Nevada, for whom I have the highest regard and respect, was a very close attendant at all the meetings of the subcommittee and of the full committee of the Appropriations Committee, as he always is, and he took a great interest in the subject. The majority have filed the committee report. Such members of the minority as may wish to file minority views have had from the time we filed our report until the present to file minority views.

So far as Senators being absent from the Chamber is concerned, I respectfully suggest that on any day the Senate meets Senators on one side of the aisle or the other will of necessity be absent. If we are to continue to postpone public business because of the absence of Senators, we shall never accomplish the business of the public.

Other appropriation bills are coming along. The able Senator from Nevada is a member of other subcommittees of the Appropriations Committee. Committee hearings will be under way next week and the week following. I think the time to proceed with this matter is now.

Under the so-called La Follette-Monroney Act we have let the matter lie over from the time of our report not only the 3 days required, but 5 days. So there should have been ample time to file a minority report, or for Members to study the bill and the report of the Appropriations Committee.

For that reason I suggest to the able Senator from Nevada that we proceed. I am sure that he is quite able and competent to present the views of the minority to the Senate this afternoon, so that we may proceed with the public business.

Mr. BARKLEY. Mr. President, in regard to the request made a while ago, to which objection was made, it seems to me that it is a little unusual to ask unanimous consent to take up a bill on a day in the future, and, before it is taken up, agree upon a time when it is to be voted upon. No one knows what amendments will be offered or how long the controversial questions will require in the Senate. I am sure that in all likelihood the bill could be disposed of Monday afternoon. The Senate ought not to bind itself—and I am satisfied it will not bind itself—to take up a bill on Monday and vote on it at 2 o'clock. I doubt whether it is wise to agree to vote at any time until the bill is taken up and we can see how the debate proceeds. I think it would be easy to agree that the unfinished business be temporarily laid aside on Monday and the appropriation bill taken up. As we proceed, we can then determine whether or not to fix an hour at which to vote. I do not think that anything would be gained by trying to take up the bill this afternoon.

Regardless of whether or not a minority report ought to have been filed a day or two ago, it has not been filed. I am not saying that it should have been or could have been. We have all been busy with pending legislation. It seems to me that it is not unreasonable to ask that the bill be not taken up until the minority have had an opportunity to file their views. I am satisfied that there will be no ultimate delay in the consideration of the bill if we wait until such a report is received.

Mr. McKELLAR. Mr. President, I happen to be a member of the subcommittee. I appeal to my friend from California [Mr. KNOWLAND] to let the bill go over until Monday. The Senator from Nevada [Mr. McCARRAN] was a member of the subcommittee. I am afraid that I did not give him as much support as he should have received in the committee, as members of the committee know. I think he ought to have an opportunity to file minority views, and I hope that the bill will go over. I appeal to my friend to let that be done.

Mr. McCARRAN. Mr. President, I have no doubt that time would be saved by letting the bill go over until Monday. The hearings before the Senate committee are exceedingly voluminous. They cover every item in the bill in extenso. It seems to me that it is the part of wisdom to continue with the debate on the unfinished business.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate reconvenes at 12 o'clock noon on Monday, or at whatever time it may reconvene, the unfinished business be temporarily laid aside for the consideration of House bill 2700, the Labor and Federal Security appropriation bill.

Mr. McCARRAN. I have no objection.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from California? The Chair hears none, and the order is made.

Mr. McCARRAN. Mr. President, I ask unanimous consent that minority views of the Committee on Appropriations may be filed during the adjournment of the Senate which is about to be taken.

The PRESIDENT pro tempore. Without objection, the order is made.

Subsequently,

Mr. McCARRAN (for himself, Mr. O'MAHONEY, and Mr. HAYDEN), members of the Committee on Appropriations, submitted minority views to accompany the bill (H. R. 2700) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1948, and for other purposes, which were ordered to be printed as part 2 of Report No. 146.

Mr. THOMAS of Utah subsequently said: Mr. President, I rise simply for the purpose of discussing certain statements appearing on pages 2 and 3 of the report on the Labor and Social Security appropriation bill. On page 2 the following sentence appears:

> The Senate committee, on the contrary, recommends that no provision be made for labor education as a part of the activities of the Department of Labor.

On page 3 the following appears:

> The Senate committee recommended that no provision be made for labor education as a part of the activities of the Department of Labor.

Those sentences may be all right, or they may not be all right. I shall not talk about the law or the appropriation; but regarding the item for the Bureau of Labor Standards, I should like to have the RECORD show that although the bill calls for continuance of services for promoting employment stabilization and amicable relations between employees and employers, such work is forbidden by the recommendation in the report that no labor education be conducted by the Department of Labor. In effect we are witnessing the summary execution of the very small labor education unit in the Bureau of Labor Standards. This unit has produced materials and has assisted employees and their union officials in the field of peaceful and reasonable adjustment of plant grievances, collective bargaining, and shop practices. The House proposed $63,000 for the continuance of this work. The Senate Appropriations Committee proposes to wipe it out.

This action is taken in the midst of debate upon labor legislation in which the sole question is whether such legislation shall be "tough" or even "tougher." I suppose that this striking down of a service to labor and to the cause of industrial peace is consistent with the trend shown in the debate. I simply wanted to point out the consistency of attitude and policy and to register my protest against the action. I hope that there will be another day in which we may discuss the value of this service and its proper location. That discussion, in my view, should be held, in the first instance, not by the Appropriations Committee, but by the Labor and Welfare Committee, which has responsibility for both labor and educational matters.

Mr. President, this is merely a protest against two sentences in the report. Last year I introduced a bill providing for setting up extension divisions on industrial labor relations. The bill was not acted upon. It was put forward as an idea, and from one end of the country to the other industrial labor problems are becoming more and more a part of the curricula of our universities, and are being studied by extension divisions not under the auspices of the Department of Labor, not under the auspices of the Federal Government at all, but under the auspices of various institutions.

We are preparing to go on with that sort of thing, and I expect we will do so, because in great institutions such as the University of Syracuse, the University of California, the University of Washington, and other institutions these divisions are being set up.

What I am personally afraid of is that it may be implied by these two sentences that it is the will of the Committee on Appropriations to strike at what necessarily will become the only agency which will make it possible for us to have decent industry-labor relations through educational processes.

If these sentences should be interpreted strictly by the legal authorities in the Department of Labor they might strike down something which the House itself has appropriated money to continue. The ill that would come to general industry labor relations might be so great with these two simple, little, innocent sentences, if we do not protest, as to impair and damage seriously one of the finest movements that is developing in our industry-labor relations.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. KNOWLAND. I missed the first part of the Senator's statement, and I am not sure whether what he just read was his views on the situation, or whether he was reading from a letter which had been sent to him.

Mr. THOMAS of Utah. I was stating my views, trying to make them as brief as possible, merely protesting the two sentences to which I have referred, so that they would not be enlarged into the law of the land, and cut down a work which has already been started and which is proceeding satisfactorily.

Mr. KNOWLAND. Then I should like to say to the able Senator that I certainly do not agree with him that there is shown any animosity on the part of the subcommittee of the Committee on Appropriations or the full committee, so far as the Bureau of Labor Standards is concerned, or in the field of education. I wish to point out that the House struck out the entire appropriation for the Bureau of Labor Standards. The Senate committee restored an item of $400,000 for the Bureau of Labor Standards, and made adjustments in the Department of Labor appropriations increasing them over what had been allowed by the House of Representatives by the amount of $4,000,000. From Secretary Schwellenbach on down, every person who appeared before the committee expressed appreciation for the very fair and open-minded attitude the committee had taken in dealing with the various matters which were before it.

I may say further to the able Senator from Utah that if we are going to create what in effect are bureaus of education in the Department of Labor, in the Department of Agriculture, and in the Department of Commerce, it seems to me not very sound governmental practice. If there is to be labor education, then it seems to me it should be through the facilities of the Office of the Commissioner of Education, who can work with the Department of Labor in distributing the pamphlets, who can work with the Department of Agriculture, if there is a similar situation, but certainly we should not duplicate, in an already overgrown Federal Government here in Washington, and have what in effect will be another bureau of education.

Mr. THOMAS of Utah. Mr. President, no one wants to see a bureau of education established in the Department of Labor, of course. I think I have made it plain that what I am frightened at, what I really fear, is that the great advance which has been made, not by the Federal Government but by the various educational institutions of the country in setting up industry labor studies, and of course getting information from whatever sources they can reach, shall not be maintained. These two sentences might cause someone in the Department of Labor to make a ruling which would retard this sort of work, and stop what has been going on. I think that with that explanation, and after protest has been made, that sort of thing will not be done.

Before the Committee on Labor and Public Welfare several education bills are pending. If the Department of Labor wanted to establish an educational department, it should endeavor to have it established by law. The same statement applies in a way to the Committee on Appropriations, for if it desires to strike down an activity which has become worth while to the people of our country, the subject matter should be first referred to the proper legislative committee. I think that in each case someone is playing out of bounds.

INTERPRETATION OF THE GOOD-FAITH CLAUSE IN PORTAL-TO-PORTAL PAY BILL

Mr. THYE. Mr. President, since the passage of the portal-to-portal bill last evening a great number of questions have been asked me concerning that measure. For that reason I should like to ask the senior Senator from Missouri [Mr. DONNELL] or the junior Senator from Kentucky [Mr. COOPER] a few brief questions as to their interpretation of the good-faith provision of the portal-to-portal bill. Since the Senator from Kentucky was a member of the subcommittee and of the conference committee which had charge of the bill, I should like to ask his view, and if the senior Senator from Missouri cares to comment, I should also like to have his view.

My question pertains to the following state of facts:

An employer, under the ruling of the Wage and Hour Administrator, believed himself to be subject to the Wages and Hours Act, and then an official of the Railroad Retirement Board ruled that the employer was not subject to the Wages and Hours Act. The employer acted in accordance with the latter's ruling. In fact, the employer secured indemnification on its Government contacts against an adverse judgment by the courts.

Could an employer under such circumstances be regarded as having acted in good faith in his reliance on the subsequent ruling of the Railroad Retirement Board? Would the defense of good faith under the terms of the bill be available to the employer under such circumstances?

I should like to have either the Senator from Kentucky or the Senator from Missouri comment on that question, for the sake of the employer and employees in the State of Minnesota who are directly affected by the act.

Mr. COOPER. Mr. President, yesterday a similar question was propounded to the senior Senator from Missouri by the senior Senator from Minnesota [Mr. BALL], and I thought at the time that the answer was in conformity with the intent and spirit of section 9 of the act, entitled "Reliance on Past Administrative Rulings."

As the Senator from Missouri stated yesterday, it is difficult to say what a court will do in a particular situation. It will be remembered that the purpose of this section is to provide a defense for an employer who has not brought himself under the act if the employer pleads and proves that his failure grew out of reliance upon the ruling of some governmental agency; and further, that his reliance was in conformity with that ruling, and that it was in good faith. So it would seem that the essential factor in such a decision would be the question of good faith.

The Senator's question is specific. The purpose of this section is general, and each case must be determined upon its particular facts.

I gather from the Senator's question that it is the same case which was discussed by the committee at various times in relation to this section. It is my personal opinion that a court should interpret this section strictly. The burden of proof is placed upon the employer. I believe that the courts should require proof of reliance and proof of good faith. It is my own opinion that in the case which the Senator has stated that is an arguable question. Personally I think that if two situations were presented to an employer as they have been stated in the Senator's question, where it was possible for an employer to rely upon the ruling of one agency or upon the ruling of another agency, the question would of course arise as to whether he had a right to rely upon a ruling of the Railway Labor Board.

Secondly, the Senator has stated that in this instance the employer did rely upon the ruling of the Railway Labor Board and, as I believe, asked indemnification from the Treasury. So it seems to me that the question could properly be considered as to whether it was a good-faith reliance or whether the employer was simply choosing a course which was most favorable to him.

As the senior Senator from Missouri said yesterday, and which I must repeat, in every case it is a question of fact for the determination of the court. It is my own opinion that it should be interpreted strictly and that in a case where an employer chose a course which was to his own advantage it would be a question as to whether he acted in good faith.

I do not know whether the Senator from Missouri agrees with that statement or not.

Mr. DONNELL. Mr. President, may I ask the junior Senator from Minnesota to repeat the specific question he has asked?

Mr. THYE. Does the Senator want me to repeat the entire question?

Mr. DONNELL. Yes.

Mr. THYE. The question, very briefly, is as to the interpretation of the good faith provision of the portal-to-portal pay bill which passed the Senate yesterday. The question has been asked me, and that is the reason why I propounded the question to the Senator from Missouri and the Senator from Kentucky. It pertains to a set of facts such as this: An employer, under the rulings of the Wage and Hour Administrator, believed himself to be subject to the Wages and Hours Act. Then an official of the Railroad Retirement Board ruled that the employer was not subject to the Wages and Hours Act. The employer acted in accordance with the latter ruling. In fact, the employer secured indemnification on his Government contract against adverse judgment by the court. Could an employer under such circumstances be regarded as having acted in good faith in his reliance on the latter ruling? Would the defense of good faith, under the terms of the bill be available to the employer under those circumstances?

Mr. DONNELL. Mr. President, I think the question propounded by the Senator is substantially if not identically the same as the question which was asked yesterday by his colleague from Minnesota [Mr. BALL], and the answer which I would make today is identically the same as the answer which I made yesterday. In my judgment it is precisely the same answer as has been made by the junior Senator from Kentucky. [Mr. COOPER]. It seems to me that it is a question of fact, under all the circumstances, a question to be decided by the court, first, whether or not the employer has sustained the burden of proof by showing that he acted in good faith and in conformity with or in reliance on an administrative regulation, ruling, order, or interpretation. All the facts in the particular case must be taken into consideration. Indeed, the securing of indemnification to which the Senator has referred is undoubtedly a fact, in my judgment, which any court would take into consideration in determining whether or not the employer was in fact acting in reliance upon the ruling. I am not undertaking this afternoon to pass upon a particular question of fact. I do not believe it to be practicable or advisable so to do. I shall not this afternoon undertake to decide this particular question. It seems to me that when the question is presented to the court, as the distinguished Senator from Kentucky has so well stated, the court will have before it the fact that the burden of proof rests upon the employer; second, that every fact within the cognizance of the court, the evidence in the case, must be taken into consideration. Even the demeanor of the witnesses will be required to be taken into consideration in the matter; third, that the court in determining whether or not the employer was or should be considered to have been protected by the provisions of section 9 which was approved yesterday, must find, first, that the employer has pleaded, and, second, that he has proved, that the act or omission complained of was in good faith, in conformity with and in reliance on the ruling of the Railway Labor Board official to whom the Senator has referred.

I do not think it is possible or advisable to attempt to say here that judgment should be rendered for the defendant. It is a question of fact to be determined by the court under all the facts of the case.

Mr. THYE. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. FERGUSON. In the case referred to is not the question one of fact to be determined by a judicial body? If it were before a jury it would be submitted to the jury on a charge by the court concerning the doctrine of good faith, and if the jury found that the facts came within the rule of law laid down it could determine that the party acted in good faith or not, as it might desire. It is one of those indefinite things about which it is always difficult to legislate. It is like the law on the question of negligence. In the law of negligence it has been impossible to lay down a specific and certain definition of negligence, so the law allows the question of fact to be presented as to whether what was done was what an ordinarily prudent person would do under the same or similar circumstances. So we have here the question, Did he act in good faith relying upon the order, or did he act in bad faith and so use the order that he might benefit by it? If he did, the jury or the

court would naturally decide against him. Is not that correct?

Mr. DONNELL. Yes.

Mr. THYE. I should like to suggest one thought in connection with the question of whether he used an interpretation or statement of a Federal representative or a Federal agency to his own advantage. I would say that in the particular instance if a Federal agency renders a ruling affecting an individual it is assumed that the maker of the ruling spoke with authority, and therefore the individual would be most likely to accept the ruling of the Federal agency on the question as coming from someone in authority.

Mr. FERGUSON. We have had in the law for many years the question of a purchaser in good faith, and we have discovered that the law has worked very well over many years in determining whether a purchaser was a purchaser in good faith. Is not that correct?

Mr. DONNELL. That is correct.

Mr. FERGUSON. So I see nothing here about which we should be disturbed. It is a question of fact to be determined by the judicial branch of the Government, and I think we shall find that the act will be, as a rule, well administered.

Mr. DONNELL. Mr. President, I should like to add, to what the distinguished Senator from Michigan has said, that I think his analysis is precisely correct. I think it is in entire harmony with the statement made by the Senator from Kentucky a few moments ago, and is in entire harmony with the statements I made yesterday and today.

What I am about to suggest is doubtless known to substantially all Members of the Senate, but I think it important to have it made a matter of record; namely, that the two distinguished Senators who have thus far expressed themselves upon this matter, the Senator from Kentucky and the Senator from Michigan, both have had extensive judicial experience, in that they have served upon the bench. I think it is well to state that fact for the RECORD, in order to indicate the significance of the judgment which they have presented this afternoon.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. CONNALLY. Let me suggest to the Senator that if uncertainty results from the rulings of two Federal agencies, would not the question of the jurisdiction of the respective agencies be a very important factor in determining good faith?

Mr. DONNELL. I think it would be. However, I wish to say so that there may be no misunderstanding, that section 9 of the Portal-to-Portal Act does not give to one agency the right to rule, as against another agency. But if an employer has, for instance, obtained the opinion of the Wage and Hour Administrator in regard to a particular matter, and also has obtained in regard to that matter a ruling of the Sergeant at Arms of the Senate, for instance, who, with all due deference to his distinguished duties, is not at all connected with the administration of the act, so far as I know, I think the fact that, on the one hand, the employer has consulted with an agency which has information on the subject, and, on the other hand, has consulted with a particular official who may not have had any connection with the act, should be and would be taken into consideration by the court in determining whether the individual employer acted in good faith. I take it that is the question which was suggested by the distinguished Senator from Texas.

Mr. President, let me inquire whether there is anything further which the Senator from Minnesota wishes to mention on this question.

Mr. THYE. No; I thank the Senator from Missouri.

LABOR RELATIONS

The Senate resumed the consideration of the bill (S. 1126) to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

Mr. TAFT. Mr. President, I wish to state briefly the effect of the amendment which is now before the Senate. I shall discuss it more at length next week.

In the first place, I think it should be understood that the Wagner Act has no relation to Nation-wide bargaining. Nation-wide bargaining exists because it has grown up as a practice in particular industries, but not because it was nurtured in any way by the Wagner Act. In fact, I think it is contrary to the Wagner Act.

The committee bill recognizes a rule made by the National Labor Relations Board, namely, that where there is an association of employers, the National Labor Relations Board may treat that as one unit and may certify a bargaining agent to deal with such association of employers. But even in that case, it is entirely dependent upon the wish of the employers to have that kind of Nation-wide bargaining.

So today the employers may veto Nation-wide bargaining, exactly as they may do if this bill is enacted into law. The bill does not in any way affect that particular point.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. PEPPER. Under the present practice, something like that effect is achieved, I am sure the Senator will admit, because the National Labor Relations Board does certify a national union as the bargaining agent for local unions.

Mr. TAFT. I was coming to that point.

Mr. PEPPER. So for all practical purposes, at the present time there can be Nation-wide bargaining.

Mr. TAFT. I understand that the House bill provides that there cannot be Nation-wide bargaining; in other words, just as a number of employers cannot associate themselves together to fix prices, the House bill provides that a number of unions shall not associate together for the purpose of fixing one wage pattern. The House bill takes the position that that is a monopoly practice and should be prohibited.

The Senate committee has not attempted to take such a position, and I myself would not favor such a position.

However, what has happened is this: There is no Nation-wide bargaining in the steel industry, but a national union or the head of a national union has been able, in two ways, to insist upon a Nation-wide pattern in his particular industry. In one way, he may persuade the National Labor Relations Board to certify his national union as the agent of a local union to deal with the local union's employer, who may be either a small employer or a large employer. That is one method by which the national union obtains control, so that the local union cannot sign a contract, but the representative of the national union must sign it for the local union.

Another method by which the national union has been able to insist upon a Nation-wide pattern in a particular industry is by inserting into its constitution and by-laws a provision that the local union, although the bargaining agent—and I may say that, taking the Nation as a whole, the national union is not usually certified as the bargaining agent, but the local unions are usually certified as the bargaining agents——

Mr. DONNELL. Mr. President, will the Senator yield to me for a moment?

Mr. TAFT. Does the Senator from Missouri mind if I complete my statement? I shall be through in a minute.

Mr. DONNELL. Then let me ask the Senator's indulgence, if I may, to request the Senator from Texas [Mr. CONNALLY] to remain on the floor for a few minutes, if he will.

Mr. CONNALLY. Mr. President, the Senator from Texas is nearly always on the floor.

Mr. TAFT. Mr. President, the second method is to write into the constitution and bylaws of the national union a provision that the local union cannot sign a contract without the approval of the national union. In that way, the national union has exercised control over the local unions.

Our proposal provides that, in the first place, the national union shall not be the certified bargaining agent, but that the party who finally signs the contract with the employer shall be the local union, representing the employees of the particular employer. In the second place, we have provided that the national union may not impose a condition to the effect that the local union cannot sign a contract with its own employer unless the national union approves. Those two powers are removed by this amendment, and that is all the amendment does.

Therefore, the effect of the amendment is to permit a union representing the employees of a particular company to sign a contract with its own employer if it wishes to do so.

In the course of the bargaining, it may say to the employer, "You must deal with the head of our national union; he is the man with whom you must talk." The local union will have a perfect right to take that position, and the head of the national union may deal with all the employers at once; or if the employers wish to associate themselves, he may negotiate with a particular employer or with a number of employers.

But if the local union becomes dissatisfied with that agency, it may revoke

that agency; and then it may sign a contract with the particular employer. That is the purpose of this amendment.

I myself feel very strongly that that was the purpose of the Wagner Act, namely, that the employees of a particular employer should be able to act as one man in dealing with one man representing their employer, and that it was not the purpose of the Wagner Act that a national union should be able, through its tremendous control of all the men in an entire industry, to dictate terms to a particular employer, through the power which is given to it by the National Labor Relations Act.

So, Mr. President, I feel that we are merely restoring the original purpose of the act, and the reason for doing so is the number of strikes which have occurred because of the practice of the national union in trying to dictate to the local unions. That story is a longer one than I care to present at this time.

INTERPRETATION OF THE GOOD-FAITH CLAUSE IN PORTAL-TO-PORTAL PAY BILL

Mr. DONNELL. Mr. President, the purpose of my requesting the Senator from Texas to remain on the floor a few minutes, which called forth his comment that this is his accustomed place, was that in the illustration which I used in response to his question I referred to the Sergeant at Arms. I do not wish by any statement made in the illustration to leave the inference or conclusion or suggestion that the Sergeant at Arms would be an agency within the meaning of either section 9 or section 10 of the portal-to-portal act of 1947. It was simply an offhand illustration I thought of. I think the point the Senator made is exactly correct, namely, that the fact that a person may consult with a particular agency which has to do with the administration of a particular act, and then consults with some official who has nothing or but little to do with the administration of the act, is a fact which the court should and would take into consideration in its determination of whether or not there was a good-faith reliance, in conformity with the particular regulation.

I thank the Senator for remaining.

Mr. CONNALLY. I thank the Senator from Missouri. Let me suggest to him that my interrogatory was prompted by the fact that frequently we have constituents who have complaints against the Government, and who say, "Why, So and So told us when he was down there, that he would guarantee that we would get so and so," when as a matter of fact the person reputed to have made the promise had no authority, no jurisdiction, and nothing to substantiate the so-called promise. My point was merely that reliance on an agency which by law has jurisdiction over a subject matter is one thing to be determined in weighing a man's good faith. If he consults another agency that has only an incidental relationship to the problem, that would not have as much weight.

Mr. DONNELL. I think the Senator is entirely correct. I call to his attention, in that connection, the following observation in the statement of the managers on the part of the House, pages 16 and 17 of Report No. 326. The particular language of the statement of the managers on the part of the House reads as follows:

It should also be noted that under both sections 9 and 10 the regulations, interpretations, enforcement policies, etc., which may be in good faith relied on must be those of an "agency" and not of an individual officer or employee of the agency. Thus if inspector A tells the employer that the agency interpretation is that the employer is not subject to the act, the employer is not relieved from liability, despite his reliance in good faith on such interpretation, unless it is in fact the interpretation of the agency.

I thank the Senator for his comment.

AMENDMENT OF FEDERAL AIRPORT ACT

Mr. BREWSTER. Mr. President, I ask unanimous consent to submit out of order an amendment to the bill (S. 1038) to amend the Federal Airport Act.

The PRESIDENT pro tempore. Without objection, the amendment will be received, printed, and lie on the table.

Mr. BREWSTER. I ask unanimous consent that the amendment be printed in the RECORD at this point, if that conforms with Senate rules.

The PRESIDENT pro tempore. Without objection, the amendment will be printed in the RECORD.

The amendment intended to be proposed by Mr. BREWSTER to Senate bill 1038 is as follows:

At the end of the bill add the following new sections:

"SEC. 8. Section 6 (a) of the Federal Airport Act is amended by inserting after the first sentence thereof a new sentence as follows: 'One and one-half percent of the amount apportioned for any year to any State may be used with or without State funds for surveys, plans, engineering, and economic investigations of projects for future construction in such State.'

"SEC. 9. Section 14 of the Federal Airport Act is amended by inserting at the end of such section the following: 'If the Administrator shall determine that it is necessary for the expeditious completion of projects undertaken pursuant to this act, he may advance to any State from funds heretofore or hereafter made available the Federal share of the cost thereof to enable the State airport agency to make prompt payments for work as it progresses. The funds so advanced shall be deposited in a special trust account by the State treasurer, or other State official authorized under the laws of the State to receive Federal-aid airport funds, to be disbursed solely upon vouchers approved by the State airport agency for work actually performed in accordance with plans, specifications, and estimates approved by the Administrator under the provisions of this act. Any unexpended balances of funds so advanced shall be returned to the credit of the appropriation from which the funds have been advanced. Any advance made to any State under the provisions of this section and not repaid shall be deducted from any apportionment allocated to such State under the provisions of this act for the year next succeeding the year in which such advance is made, and no grant agreement made in accordance with the provisions of this act shall be valid for any pro rata share of the cost of construction in excess of such apportionment less such advance.'"

Mr. BREWSTER. Mr. President, I should like to make a brief statement in relation to the proposed amendment, asking the indulgence of the Senate to listen to my voice, in view of the requirement that all speeches shall actually be delivered upon the floor. The President pro tempore is calling this down upon his head.

The bill I have introduced would amend the Federal Airport Act to conform to certain tested provisions of the Federal Aid Highway Act.

On Tuesday I conferred with the executive committee of the National Association of State Aviation Officials. These proposed amendments grew out of that meeting. In brief, the first amendment provides that 1½ percent of the amount apportioned for any year to any State may be used in combination with State funds for making advance surveys, plans, engineering, and economic investigations of projects for future construction in each State. This provision is similar to provisions in the Highway Planning and Research Section of the Federal Aid Roads Act. It contributed greatly to the growth and development of our highway system.

The second amendment provides for advances to any State of the Federal share of the cost to enable the State airport agency to make prompt payments for work as it progresses. Proper safeguards are provided to protect the Federal interest. This amendment would make it possible for airport projects to proceed without delay. It would permit construction to proceed while awaiting formal approval of other aspects of the project.

This amendment is similar to the Advance of funds amendment in the Federal Aid Highway Act.

It is apparent to me and to the State aviation officials that the more the Federal Airport Act is made to conform to the thoroughly tested Public Roads Act, the better it will be. During my 4 years as governor of a State, I witnessed at first-hand and had something to do with the administration of our Federal-State highway construction program. It was successfully and economically operated because its administration was based on a firmly rooted principle of Government, namely, Federal-State partnership in carrying out grants-in-aid programs.

It is becoming increasingly apparent that if the Federal Airport Act is to be made effective, it will be through the action of the States. Current reports indicate that many cities will not be able to build new airports without additional assistance from the States and the Federal Government. That is why it is so important for Congress to enact S. 1038, which gives the States a definite place in the program by providing for State channeling of Federal airport funds, as is the case in other grants-in-aid projects. The importance of adopting that amendment is even more warranted than it was a year ago, when the Senate adopted such an amendment, which was later eliminated in conference.

The adoption of these amendments will go far toward conforming the Federal airport legislation to the Public Roads Act. It will restore a long-recognized principle of good government, result in a more effective airport program, and in far more airports, in my judgment.

LABOR RELATIONS

Mr. WHERRY. Mr. President, for the RECORD, will the President pro tempore state the pending question?

The PRESIDENT pro tempore. The pending question is on agreeing to the series of amendments to Senate bill 1126 submitted by the Senator from Minnesota [Mr. BALL], and ordered to be considered en bloc.

EXTENT OF COLLECTIVE BARGAINING AND UNION RECOGNITION

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a release by the Department of Labor dated April 21, 1947, the subject being Extent of Collective Bargaining and Union Recognition, 1946. It supplements similar material which I had printed in the RECORD on March 10 of this year, when I delivered my major speech on labor legislation. It brings up to date the data I submitted on that subject.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

EXTENT OF COLLECTIVE BARGAINING AND UNION RECOGNITION, 1946 [1]

UNION AGREEMENT COVERAGE

Approximately 14,800,000 workers were employed under conditions determined by written collective-bargaining agrements in 1946, an increase of 1,000,000 workers compared with 1945. The workers covered by agreement represent 48 percent of the 31,000,000 [2] engaged in occupations in which the unions have been organizing and endeavoring to obtain written agreements. The percentage covered was the same as in the previous year, but fewer workers—approximately 29,000,000—were eligible for agreement coverage in 1945. Nonmanufacturing industries accounted for much of the increase in employees eligible for agreement coverage.

About 7,900,000 production workers in manufacturing were covered by union agreements in 1946 (69 percent of those employed) compared to 8,000,000 (67 percent) a year earlier. In the nonmanufacturing industries 6,900,000 workers, or 35 percent of the potentials were employed under union agreements. Part of the decrease in total coverage in the manufacturing industries can be accounted for by changes in employment in such industries as aircraft and shipbuilding, in which a large proportion of the workers are covered by union agreement. In the nonmanufacturing industries the increase in the number of workers can be accounted for by higher employment in such industries as construction, in which the proportion of workers covered by collective bargaining is very high.

[1] Prepared in the Bureau's Industrial Relations Branch, Boris Stern, chief with Philomena Marquardt in immediate charge of assembling the information.

For similar data for previous years, see Monthly Labor Review, April 1946, April 1945, April 1944, February 1943, May 1942, and March 1939.

[2] This estimate of 31,000,000 includes all wage and salary workers except those in executive, managerial, and some professional positions, but excludes all self-employed, domestic workers, agricultural wage workers on farms employing less than six persons, Federal and State Government employees, teachers, and elected or appointed officials in local governments. It should be noted that the number of workers covered by union agreements is not the same as union membership. Except under closed or union-shop conditions, agreements cover nonmembers as well as members employed within the given bargaining unit. On the other hand, some union members may be working in unorganized plants and many civil-service employees and teachers are members of unions but are not employed under the terms of bilateral written agreements.

The extent of union agreement coverage in the various manufacturing and nonmanufacturing industries is shown in table 1.

Because each group covers a range of 20 percent, it is possible for the proportion of covered workers within an industry to increase several percent and still remain within the same group. During 1946 the percentage of workers covered by agreements in the dairy-products industry increased enough to bring it from the 1 to 19 percent into the 20 to 39 percent category. Chemicals, excluding rayon yarn and the paper-products industries moved from the 20 to 39 percent into the 40 to 59 percent group. Canning and preserving foods, dyeing and finishing textiles, and leather gloves increased in the proportion covered so that they shifted from the 40 to 59 percent to the 60 to 79 percent column. Moving from the 60 to 79 percent into the 80 to 100 percent group, were the elecerical-machinery and the rayon-yarn industries.

TABLE 1.—*Proportion of wage earners under union agreements in 1946*

MANUFACTURING INDUSTRIES

80–100 percent: Agricultural equipment; aircraft and parts; aluminum; automobiles and parts; breweries; carpets and rugs, wool; cement; clocks and watches; clothing, men's; clothing, women's; electrical machinery; furs and fur garments; glass and glassware; leather tanning; meat packing; newspaper printing and publishing; nonferrous metals and products, except those listed; rayon yarn; rubber; shipbuilding; steel, basic; sugar.

60–79 percent: Book and job printing and publishing; coal products; canning and preserving foods; dyeing and finishing textiles; gloves, leather; machinery, except agricultural equipment and electrical machinery; millinery and hats; paper and pulp; petroleum refining; railroad equipment; steel products; tobacco; woolen and worsted textiles.

40–59 percent: Baking; chemicals, excluding rayon yarn; flour and other grain products; furniture; hosiery; jewelry and silverware; knit goods; leather, luggage, handbags, novelties; lumber; paper products; pottery, including chinaware; shoes, cut stock and findings; stone and clay products, except pottery.

20–39 percent: Beverages, nonalcoholic; confectionery products; cotton textiles; dairy products; silk and rayon textiles.

1–19 percent: None.

NONMANUFACTURING

80–100 percent: Actors and musicians; airline pilots and mechanics; bus and streetcar, local; coal mining; construction; longshoring; maritime; metal mining; motion-picture production; railroads; telegraph; trucking, local and intercity.

60–79 percent: Radio technicians; theater stage hands; motion-picture operators.

40–59 percent: Bus lines, intercity; light and power; newspaper offices; telephone.

20–39 percent: Barber shops; building, servicing, and maintenance; cleaning and dyeing; crude petroleum and natural gas; fishing; hotels and restaurants; laundries; nonmetallic mining and quarrying; taxicabs.

1–19 percent: Agriculture; [3] beauty shops; clerical and professional, excluding transportation, communication, theaters, and newspapers; retail and wholesale trade.

EXTENT OF UNION RECOGNITION BY TYPES

Approximately 4,800,000 workers were covered by closed and union shop with preferential hiring provisions in 1946, compared to 4,250,000 in 1945. Union shop clauses, without preference in hiring, were specified for almost 2,600,000 workers in 1946 and 2,000,000 in 1945. The number of workers covered by maintenance of membership decreased from more than 3,900,000 in 1945 to 3,600,000 in 1946.

[3] Less than 1 percent.

Table 2 indicates the changes in the proportion of workers under each type of union recognition from 1941 through 1946. During the war there was a major shift from sole bargaining and bargaining for members only to maintenance of membership. The 1946 figures indicate a trend away from the latter type, and to the union or closed shop.

Table 3 lists the industries in which at least half of the workers who are under agreement are covered by the type of union recognition specified.

A few industries (such as shipbuilding and iron and steel products) which were listed in the 1945 report do not appear this year because 50 percent of the workers in those industries are no longer covered by any one type of recognition clause. Carpets and rugs and woolen and worsted were both listed under maintenance of membership in 1945 but in 1946 over half of the workers in those industries who were covered by union agreements were under union-shop provisions.

The most marked change has taken place in the automobile industry. In 1945 over half of the covered workers had maintenance-of-membership provisions in 1946 a little over 10 percent had such provisions, while a third were covered by union-shop requirements, a fourth by sole-bargaining arrangements, and another fourth by maintenance-of-union-dues requirements.

The proportion of workers under the different types of union security for a selected group of industries is shown in table 5, while the approximate number of workers in each of the major census groups for manufacturing and the totals for nonmanufacturing are given in table 6.

TABLE 2.—*Changes in union recognition in the United States, 1941–46*

Item	1941	1942	1943	1944	1945	1946
Eligible for union-agreement coverage:						
Number (in millions)	31	31	31	30.25	29	31.2
Percentage under agreement	30	40	45	47	48	48
	Percentage distribution [1]					
Workers under agreements providing for:						
Closed shop	40	45	30	28	30	33
Union shop			20	18	15	17
Maintenance of membership	(2)	15	20	27	29	25
Preferential hiring	(2)	5	2	2	3	3
Other [3]	(2)	35	28	25	23	22
Total	----	100	100	100	100	100

[1] Percentages not strictly comparable, year by year, because of slight changes in volume of employment during the period.

[2] No data.

[3] No membership or hiring requirements are mentioned in these agreements, which have clauses specifying sole bargaining, maintenance of union dues, and bargaining for members only.

TABLE 3.—*Industries with 50 percent or more of the workers under agreement covered by specified types of clauses*

MANUFACTURING INDUSTRIES

Closed or union shop with preferential hiring: Baking; breweries; canning and preserving foods; clothing, men's; clothing, women's; dyeing and finishing textiles; gloves, leather; glass containers; hosiery; printing and publishing; shoes, cut stock and findings.

Union shop: Carpets and rugs, wool; flat glass; knit goods; paper and allied products; sugar, beet; woolen and worsted textiles.

Maintenance of membership: Aircraft and parts; cigarettes and tobacco; chemicals; cotton textiles; electrical machinery; machinery, except electrical; meat packing; nonferrous metals; petroleum refining; rubber; steel, basic.

Preferential hiring: Pottery.

Sole bargaining: Cement; sugarcane.

NONMANUFACTURING INDUSTRIES

Construction: Trucking and warehousing.
Coal mining.
Crude petroleum and natural gas; metal mining; public utilities, electric light and power, water, and gas; telegraph.
Longshoring: Maritime.
Railroads, telephone.

TABLE 4.—*Proportion of workers under agreement covered by different types of union security in 1946*

	Total	Closed shop and union shop with preferential hiring	Union shop	Maintenance of membership	Other
	Pct.	*Pct.*	*Pct.*	*Pct.*	*Pct.*
Total	100	33	17	25	25
Manufacturing	100	28	19	38	15
Nonmanufacturing	100	38	16	9	37

TYPES OF UNION RECOGNITION

(Definitions)

Closed shop: Under this type of union recognition all employees must be members of the union at the time of hiring and they must remain members in good standing during their period of employment. The following is the simplest form of a closed-shop provision:

"The employer shall employ none but members in good standing in the union. All employees shall remain members in good standing as a condition of continued employment."

Hiring through the union, unless it is unable to supply the required number of workers within a given period, is required under most of the closed-shop agreements, and those employees who are hired through other procedures must join the union before they start to work.

Union shop: Workers employed under a union-shop agreement need not be union members when hired, but they must join the union within a specified time, usually 30 to 60 days, and remain members during the period of employment. A characteristic clause setting up a union shop generally reads:

"All present employees not on the excluded list (outside the bargaining unit) who are not now members of the union, must become members within 30 days after the signing of this agreement. All persons employed, after this date, must become members of the union within 30 days after date of their employment. All employees will remain members of the union in good standing as defined by the constitution and bylaws of the union as a condition of employment or the duration of this agreement.

Union shop with preferential hiring. When the union-shop agreement specifies that union members shall be given preference in hiring or that the hiring shall be done through the union the effect is very much the same as the closed-shop agreement.

"When the company is in need of a new employee, the union shall have the first opportunity to supply such employees. If the union shall be unable to supply such employees within 1 week, or if the union waives the right to supply such employees, the company may hire any person it desires.

"Any new employees hired by the company who are not already members of the union shall become members of the union within 2 weeks of the date of their employment. Only members in good standing of the union shall continue in the employ of the company."

Modified union shop: In some cases the union shop is modified so that those who were employed before the union shop was established are not required to become union members. This type of union security is sometimes referred to as a modified shop.

"(a) All employees hired after the date of execution of this agreement, must, after a 6-week probationary period, become and remain members of the union in good standing as a condition of continued employment. In individual cases the employer shall have the opportunity of negotiating with the union with respect to a longer probationary period.

"(b) It is agreed that present employees, who have not and do not desire to join the union, need not do so as a condition to their continued employment with the company. It is agreed that all employees who are members of the union, or who may become members of the union, shall remain members in good standing during the life of this agreement."

Maintenance of membership: This type of union security requires that all employees who are members of the union a specified time after the agreement is signed and all who later join the union, must remain a member in good standing for the duration of the agreement. Following the pattern of the maintenance-of-membership clauses established by the National War Labor Board, most of the agreements with this type of union security clause provide for a 15-day period during which members may withdraw from the union if they do not wish to remain members during the life of the agreement.

"It is agreed that all employees who, 15 days after the signing of this agreement, namely (date), are members of the union in good standing in accordance with the constitution and bylaws of the union, and all employees who thereafter become members of the union shall, as a condition of employment, continue to remain members in good standing as long as the union specified above remains the collective-bargaining agent.

"Members of the union who are delinquent in dues payments shall pay all dues before they shall be permitted to avail themselves of the 15-day escape period provided for above.

"Members of the union in good standing for the purpose of this provision shall be all persons who are members in good standing as of (date) or who subsequently become members and have not resigned or withdrawn and so notified the union in writing prior to (date)."

Maintenance of union dues: During 1946 a few agreements covering workers employed by large companies which had specified maintenance of membership in 1945 were modified, to provide sole bargaining with the check-off of union dues for all union members as a condition of employment. Clauses of this type (which specify this form of irrevocable check-off) are found in agreements negotiated with the General Motors Corp., the Goodrich Tire & Rubber Co., Akron, the International Harvester Co., East Moline, Ill., the Western Electric Co., and Yale & Towne. An example of this maintenance of union dues clause is as follows:

"All employees who, 15 days after the beginning of the first pay-roll week following the date of this agreement, are members of the union in good standing in accordance with its constitution and bylaws, and all employees who become members after that date, shall, as a condition of employment authorize the company for the duration of this agreement to deduct from their pay and transmit to the union an amount equivalent to their union dues as currently established by the union in accordance with its constitution and bylaws."

Preferential hiring: No union membership is required under this type of clause but union members must be hired if available. When the union cannot supply workers, the employer may hire nonmembers and they are not required to join the union as a condition of employment.

"Members of the union shall have all of the work pertaining to the rigging up of ships and the coaling of same, and the discharging and loading of all cargoes including mail, ships' stores, and baggage. When the union cannot furnish a sufficient number of men to perform the work in a satisfactory manner then the employer may employ such other men as are available."

OTHER TYPES OF UNION RECOGNITION

Sole bargaining: Under some agreements no requirement for union membership or for hiring through the union is specified. The union is the sole bargaining agent for all employees and negotiates the agreement covering all workers in the bargaining unit whether they are members of the union or not.

"The company recognized union No. ——— as the exclusive bargaining agency for all production and maintenance employees of the company, exclusive of executive, administrative, office, clerical employees and employees within the jurisdiction of the ——— union, and all supervisory employees with the authority to hire, discharge, discipline, or effectively recommend changes in the status of employees as to factory wage rates, hours, and working conditions."

Members only: A few agreements stipulate that the union shall act as bargaining agent for its members only, and the agreement does not cover other workers.

"The employer recognizes the ——— union as the collective bargaining agency for its production and maintenance employees who are members of the union, at the employer's ——— works and mine."

TABLE 5.—*Proportion of workers under union agreement by union security in selected industries and occupations, 1946*

Industry	Total	Closed or union shop with preferential hiring	Union shop, no preferential hiring	Maintenance of membership	Preferential hiring	Other
MANUFACTURING	*Pct.*	*Pct.*	*Pct.*	*Pct.*	*Pct.*	*Pct.*
Agricultural machinery	100	1	4	74	----	21
Aircraft and parts	100	6	8	62	----	24
Aluminum	100	5	14	79	----	2
Automobiles and parts	100	1	35	12	----	52
Canning and preserving foods	100	64	11	19	----	6
Chemicals, excluding rayon yarn	100	3	34	52	----	11
Cigarettes and tobacco	100	1	35	54	----	10
Cigars	100	43	12	43	----	2
Clothing, men's	100	90	6	----	4	----
Clothing, women's	100	97	3	----	----	----
Cotton textiles	100	32	8	52	----	8
Dyeing and finishing textiles	100	56	20	22	1	1
Electrical machinery	100	9	15	57	1	18
Furniture and finished lumber products	100	20	29	37	1	13
Hosiery	100	59	12	25	----	4
Leather tanning	100	18	23	36	----	23
Meat packing	100	11	12	75	----	2
Paper	100	7	53	39	----	1
Petroleum refining	100	1	7	57	----	35
Rayon yarn	100	1	3	69	----	27
Rubber	100	2	15	66	----	17
Shipbuilding	100	32	11	48	----	9
Shoes	100	50	5	42	----	3
Silk and rayon textiles	100	37	26	23	----	14
Steel, basic	100	----	3	93	----	4
Steel products	100	11	33	47	1	8
Woolen and worsted textiles	100	2	66	18	----	14
NONMANUFACTURING						
Coal mining	100	----	100	----	----	----
Construction	100	94	----	----	6	----
Railroads	100	----	----	----	----	100
Telephone	100	3	1	28	----	68

TABLE 6.—*Approximate number of workers covered in 1946 by the type of union security listed*

Industry	Closed shop	Union shop with preferential hiring	Union shop	Membership maintenance
MANUFACTURING				
Food	210,000	130,000	90,000	185,000
Tobacco	8,000	3,000	15,000	32,000
Textile	40,000	120,000	165,000	180,000
Apparel	515,000	320,000	50,000	8,000
Lumber	25,000	90,000	60,000	76,000
Furniture	20,000	20,000	55,000	70,000
Paper		15,000	126,000	70,000
Printing and publishing	250,000			
Chemicals	1,000	4,000	60,000	125,000
Petroleum		5,000	15,000	50,000
Rubber		3,000	30,000	140,000
Leather	40,000	61,000	20,000	60,000
Stone, clay, and glass	5,000	45,000	75,000	35,000
Iron and steel	30,000	40,000	235,000	725,000
Nonferrous metals	30,000	15,000	40,000	185,000
Electrical machinery	15,000	25,000	70,000	260,000
Machinery, excluding electrical	15,000	15,000	90,000	460,000
Automobile	1,000	10,000	240,000	80,000
Transportation equipment	55,000	17,000	50,000	250,000
Miscellaneous	15,000	12,000	20,000	40,000
Total	1,275,000	950,000	1,506,000	3,031,000
NONMANUFACTURING				
Total, all groups [1]	2,082,000	547,000	1,091,000	664,000

[1] Included in this group are employees in construction, trucking, warehousing, services, clerical, sales and professional occupations, mining, transportation, communications, and public utilities.

CHECK-OFF ARRANGEMENTS

Approximately 6,000,000 workers (41 percent of all under union agreements) were covered by some form of check-off provisions in 1946. This is an increase of close to three-quarters of a million from the 1945 total. Automatic deduction of dues was specified for a little over half of these workers while the others specified check-off of union dues only for employees who give the employer an individual written authorization. Some of these may be withdrawn at any time; others remain in effect for the life of the agreement.

In the manufacturing industries 4,700,000 workers (61 percent) had their dues checked off compared to the 4,000,000 (about 50 percent) in 1945. The number of nonmanufacturing workers covered by check-off arrangements remained at about 1,300,000 for 1946, but this was not quite 20 percent of the workers under agreement; in 1945 with 13,800,000 under agreement the same number of workers covered brought the proportion to 24 percent.

Changes in check-off arrangements from 1942 through 1946 are given in Table 7 and they show a gradual increase in the number of workers covered by such provisions. Table 8 lists the industries which have at least half of the workers under agreement covered by one type of check-off. A few industries listed for 1945, such as chemicals, steel products, and men's clothing, no longer have 50 percent of the covered workers under a single type of check-off.

The proportion of workers under agreement by type of check-off for selected industries is given in Table 9, while the approximate number of workers covered by check-off in 1946 for the major manufacturing industries as for nonmanufacturing is shown in table 10.

Below are definitions of the two types of check-off and examples of union agreement clauses providing for each. Table 11 shows the proportion of workers under agreement by each type of check-off during 1946 for manufacturing and nonmanufacturing industries.

TABLE 7.—*Changes in check-off arrangements in the United States, 1941–46*

	1941	1942	1943	1944	1945	1946
Number under agreement (in millions)	10.3	12.5	13.8	14.3	13.8	14.8
	Percentage distribution [1]					
Workers under agreements providing for—						
Automatic check-off	(2)	12	18	21	23	24
Voluntary check-off	(2)	8	14	20	16	17
No check-off	(2)	80	68	59	61	59
Total	----	100	100	100	100	100

[1] Percentages not strictly comparable, year by year, because of slight changes in volume of employment during the period.
[2] No data.

TABLE 8.—*Industries with 50 percent or more of workers under agreement covered by specified type of check-off*

MANUFACTURING

Voluntary: Cement; clocks and watches; glass, flat; petroleum and coal products; sugar, cane; textiles, except carpets and rugs (woolen) and hosiery.

Automatic: Aircraft engines; aluminum; automobiles; carpets and rugs (woolen); cigarettes and tobacco; electrical machinery; hosiery; leather, except gloves and shoes; meat packing and slaughtering; nonferrous smelting and refining; rubber tires and tubes; steel, basic; sugar, beet.

NONMANUFACTURING

Voluntary: Crude petroleum and natural gas products; telephone.

Automatic: Coal mining; iron mining; telegraph.

TABLE 9.—*Proportion of workers under union agreement by type of check-off in selected industries, 1946*

Industries	Total	Voluntary check-off	Automatic check-off	No check-off
MANUFACTURING	*Pct.*	*Pct.*	*Pct.*	*Pct.*
Agricultural machinery	100	13	41	46
Aircraft and parts	100	35	47	18
Aluminum	100	15	80	5
Automobiles and parts	100	6	59	35
Canning and preserving foods	100	26	11	63
Chemicals, excluding rayon yarn	100	46	22	32
Cigarettes and tobacco	100	1	84	15
Cigars	100	23	36	41
Clothing, men's	100	25	43	32
Clothing, women's	100	3	6	91
Cotton textiles	100	77	21	2
Dyeing and finishing textiles	100	67	20	13
Electrical machinery	100	19	65	16
Furniture and finished lumber products	100	32	28	40
Hosiery	100	30	63	7
Leather tanning	100	49	20	31
Meat packing	100	8	76	16
Paper	100	33	14	53
Petroleum refining	100	46	20	34
Rayon yarn	100	36	45	19
Rubber	100	32	44	24
Shipbuilding	100	17	43	40
Shoes	100	33	23	44
Steel, basic	100	2	94	4
Steel products	100	21	43	36
Woolen and worsted textiles	100	68	20	12
NONMANUFACTURING				
Coal mining	100	------	100	------
Construction	100	------	------	100
Railroads	100	------	------	100
Telephone	100	66	------	34
Silk, rayon textiles	100	83	14	3

TABLE 10.—*Approximate number of workers covered in 1946 by type of check-off specified*

[In thousands]

Industries	Automatic	Voluntary
MANUFACTURING		
Food	160	84
Tobacco	43	6
Textiles	158	349
Apparel	240	133
Lumber	5	49
Furniture	53	60
Paper	33	63
Printing and publishing	61	97
Chemicals	19	53
Petroleum	92	66
Rubber	60	59
Leather	43	88
Stone, clay, and glass	702	147
Iron and steel	142	91
Nonferrous metals	297	87
Electrical machinery	251	177
Machinery, excluding electrical	415	41
Automobiles	219	103
Transportation equipment	39	24
Miscellaneous	3,032	1,777
NONMANUFACTURING		
Total, all groups [1]	605	726
Total	3,637	2,503

[1] Included in this group are employees in construction, trucking, warehousing, services, clerical, sales and professional occupations, mining, transportation, communications and public utilities

CHECK-OFF ARRANGEMENTS—DEFINITIONS

Automatic check-off: Many agreements specify that the employer shall deduct the union dues from the pay of all union members. In addition they may specify that initiation fees and assessments shall be checked-off.

"The company will deduct from the pay of each employee covered by this agreement all union initiation fees, dues, and assessments."

Voluntary check-off: A number of agreements specify that the employer shall check-off union dues or assessments only for those employees who sign individual authorization. In most cases the employee may withdraw his authorization whenever he wishes.

The company agrees that any member of Local ——— may, upon written instructions to the company with a copy to Local ———, request the company to deduct his union dues from his pay check once each month and the company agrees that such collected dues will be turned over monthly to the Financial Secretary of Local ——— with full accounting thereof. It is understood that any union member may rescind such deduction instructions at any time provided the company is given written 30 days notice with a copy to Local ——— on a form provided for that purpose. Unless rescinded, authorization for deduction of all dues shall continue for the duration of this agreement.

TABLE 11.—*Proportion of workers under agreement by types of check-off in 1946*

	Total	Automatic check-off	Voluntary check-off	No check-off
	Pct.	*Pct.*	*Pct.*	*Pct.*
Total	100	24	17	59
Manufacturing	100	38	23	39
Nonmanufacturing	100	9	10	81

FEDERAL ACTIVITIES UNDER EXECUTIVE AGENCIES

Mr. AIKEN. Mr. President, the Senate Committee on Expenditures in the Executive Departments has today re-

leased an organization chart showing detailed personnel assignments in the various Federal departments and independent and emergency agencies of the Government.

The chart was prepared in accordance with duties assigned under provisions of the Legislative Reorganization Act of 1946, which specifically instructs the committee to make a study of the operations of Government activities at all levels with a view to determining their economy and efficiency. It is the purpose of the committee to issue similar charts at 6-month intervals, at the end of calendar- and fiscal-year periods. These periodical charts will clearly and concisely reflect organizational and personnel changes in each of the units in the Federal structure during the preceding period.

The data was compiled as of December 31, 1946, totaling 2,285,570 employees in 2,369 units of personnel assignments, not including the judicial or legislative branches of the Government, such as the Library of Congress, General Accounting Office, and the Government Printing Office.

The chart presents a factual picture of governmental structure which should prove to be of great assistance to individual Members of the Senate, and especially to congressional committees considering legislation dealing with the departments and agencies. It clearly demonstrates the ramifications of the executive branch and will provide basic data necessary to the objectives of the Congress in simplifying the operations of the Government and in the development of a uniform and more efficient organizational program.

The chart is drawn to emphasize the varying organizational structure, headed by the Executive Office of the President, then the executive departments, on down through the independent and emergency agencies. A separate section covers existing Federal corporations, indicating the date of formation and when they are to terminate under present authorizations, and showing the department or agency through which each corporation functions.

This chart is tied in with specific activities of the Committee on Expenditures in the Executive Departments, and it is the intention of the committee to assemble complete information on structure and staffing as a constructive supplement to the economy measures now being considered in the Senate, and an aid to Members seeking to solve organizational and fiscal problems confronting the Congress.

The over-all objective is to eventually bring the executive branch under a uniform Federal departmental structure, to eliminate as rapidly as possible emergency and independent agencies, and to establish uniform departmental bureaus to replace many of the varying designations and divisional units. A more detailed study is being made of th problem by the committee at the present time and will be made the subject of a later report. A copy of the chart will be sent to each Member of the Senate.

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I ask unanimous consent that a copy of the report may be printed in the RECORD as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

This report is submitted to the Senate by the Committee on Expenditures in the Executive Departments, under Public Law 601, Seventy-ninth Congress, requiring this committee to make a study of the operations of Government activities at all levels with a view to determining its economy and efficiency. With the report is submitted a chart showing the organization of, and personnel assigned to, the executive departments of the Government as of December 31, 1946. The chart was prepared in an effort to reflect a complete résumé of Federal activities under the executive agencies, and to provide a basis for carrying on the duties assigned to this committee under the Legislative Reorganization Act.

After investigation of all existing charts on the organization of the executive branch, the staff of this committee found it more desirable to prepare an entirely new chart rather than to attempt to bring others up to date or to correct their inaccuracies. The task has been sizable but the rewards, in terms of Nation-wide use, seemed so large that it has been pushed with vigor. All departments and agencies have freely provided the statistics required, and the Bureau of the Budget has lent hearty approval to the project as representing work useful in the management of the executive branch.

Scope of the chart: The chart includes every organization within the executive branch without exception. Each organization is divided into its principal parts on the basis of information supplied by the organization itself. Personnel assigned to each part is also shown, and the total indicated. No break-down of field offices or agencies is included, except as one field unit, regardless of the number of branches or personnel assignments.

Where, under the supervision of a department or agency, corporations are listed within the framework of that department or agency, independent corporations are shown under independent agencies, and all active Government corporations, of whatever type, are consolidated in a single chart, which indicates the agencies through which it functions, and its present status.

To emphasize the diversity of nomenclature of parts of departments and agencies, a separate table, entitled "Nomenclature Summary," is included. This shows more than 2,300 units, based on detailed data submitted by each of the agencies, and points out the need for simplification and uniformity. Even these totals are incomplete, since it is apparent that some agencies submitted more detailed break-downs than did others, although each was specifically requested to furnish complete details.

No reports were compiled on agencies under the judicial or legislative branches of the Government, including the following: The Supreme Court, the Congress of the United States, the Architect of the Capitol (920 employees), the Library of Congress (1,775 employees), the General Accounting Office (11,098 employees), and the Government Printing Office (7,969 employees).

Presentation of material: The following groupings have been made:

1. Departments.
2. Independent agencies.
3. Emergency agencies.
4. Corporations.
5. Nomenclature summary.
6. Totals.

All data presented are as of December 31, 1946.

Schedule of future work: The chart will be completely revised and brought up to date twice a year, to show data as of June 30 and December 31, and, if this schedule is found to be inadequate, reports will be provided on a quarterly basis.

Objectives: This work was undertaken not only to serve the purposes of this committee in surveying expenditures and appraising administrative management, but also to aid other committees and all Members of the Congress in their daily work with the executive branch.

It is also felt that a forceful, dramatic, and easily understood presentation of the world's most complex Government structure will serve to emphasize, everywhere, the need for simplification and economy, which is one of the prime objectives of the Committee on Expenditures in the Executive Departments. The accompanying chart will provide a basis for study and development of a uniform organizational program.

Each succeeding chart will indicate clearly all organizational and personnel changes occurring in the preceding period, and permit Congress to have a clear and accurate picture of the growth or reduction of Federal activities. It is hoped also that the picture presented through these reports will encourage the various Federal departments and agencies to adopt uniform standards of organizational set-up and to effect personnel reductions where functions are duplicated or overlap.

Information and assistance: The bicameral nature of our Congress breeds a certain amount of duplication. However, the amount of duplication within the legislative branch can be reduced if committees will follow certain prescribed and well-known avenues of work. In this connection your committee feels that it should establish itself as the authority, at least within the Senate, on the structure and organization of the executive branch as required under the Legislative Reorganization Act. The preparation of this chart is one step in that direction. We intend to assemble information on structure and on staffing, which will be the most complete in existence. The staff will be prepared to answer any and all questions on these two subjects.

We feel that we will be able to serve the committees and the individual Members of the Senate if they will refer all questions on these subjects to us. This offer of service we should like to have publicized as widely as possible. Such a procedure would prevent the duplication of requests for personnel data to the Civil Service Commission and the Bureau of the Budget, and the duplication of requests for structural and functional information to the various departments and to the Bureau of the Budget.

LEAVE OF ABSENCE

Mr. MARTIN. Mr. President, I request permission to be excused from attendance upon the session of the Senate on Monday.

The PRESIDENT pro tempore. Without objection, consent is granted.

KLAMATH INDIAN RESERVATION, OREG.

Mr. MORSE. Mr. President, before my senior colleague [Mr. CORDON] had to leave the Chamber on committee business, he asked me on his behalf to introduce a bill, in the introduction of which I am joining. It is a bill that relates to the Klamath Indian Reservation in Oregon, which in most particulars is similar to a bill which we introduced last year.

We want the RECORD to show two or three things very clearly: first, that the bill is being introduced at the request of a certain group, and, I think, properly described as a certain faction, within the Indian reservation, that it is being introduced at the request of certain officials of the county, including the county judge,

and is being introduced in behalf of certain civic bodies, who at least want the bill introduced for the purpose of hearings.

The senior Senator and the junior Senator from Oregon do not take any final position on the merits of the bill. We are introducing it because we are in agreement that it is a bill which ought to go to hearing, and because we need, it seems to us, the judgment of the subcommittee on Indian Affairs of the Public Lands Committee. In fact, two of the Senators on that committee, including the chairman of the subcommittee, have said to us that it is very difficult for them to proceed with the consideration of the problems of the reservation, as they pertain to the subject matter of this bill, in the absence of the bill itself being introduced. I want that explanation in the RECORD.

Speaking for myself, I think it only fair to say, however, without particular application to this reservation alone, but to the whole problem of Indian affairs, that I think the time has come when the Government of the United States ought to hasten the day when the Indians shall cease to be wards of the state. I think that in regard to our Indians we ought to see to it that they are permitted as rapidly as possible to assume all the rights, prerogatives, and privileges of all other citizens. I think there are a great many Indians who are ready now for those rights, and I think that we ought to think in terms of reducing year by year the functions and the power of the Bureau of Indian Affairs, rather than to permit that Bureau to expand into an ever-enlarging bureaucracy.

We have been now for a good many years educating the younger generations of Indians. I think that through our educational processes they are just as capable of proceeding to take charge of Indian affairs as are other citizens. I think we should look to the day when no longer will the American Indians be the wards of the state.

I think an investigation will show a great many things about Indian affairs that amply support that for which I am arguing this afternoon. But, be that as it may, Mr. President, the two Senators from Oregon and the Representative, Mr. STOCKMAN, in whose district this particular reservation is located, all have joined in having this bill introduced, primarily for the purpose of having hearings on it, and investigation by means of it, so as to ascertain what the facts are concerning the conflicting allegations as to affairs of this particular reservation. I introduce the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

There being no objection, the bill (S. 1222) to remove restrictions on the property and moneys belonging to the individual enrolled members of the Klamath Indian Reservation in Oregon, to provide for the liquidation of tribal property and distribution of the proceeds thereof, to confer complete citizenship upon such Indians, and for other purposes, introduced by Mr. MORSE (for Mr. CORDON and himself), by request, was received, read twice by its title, and referred to the Committee on Public Lands.

RECESS TO MONDAY

Mr. WHERRY. I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 21 minutes p. m.) the Senate took a recess until Monday, May 5, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 2 (legislative day of April 21), 1947:

DIPLOMATIC AND FOREIGN SERVICE

Albert E. Clattenburg, Jr., of Pennsylvania, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

DEPARTMENT OF JUSTICE

Peyton Ford, of Oklahoma, to be an Assistant Attorney General to fill an existing vacancy.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 2, 1947

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Spirit of the living God, without which nothing is pure and nothing can abide, constrain us to greater zeal and devotion that evil may be diminished and that the good of life may be accentuated. Grant that peace with justice may prevail in every part of the Union, for anything less than fidelity to the tenets of a free people sullies the pages of our national history. Blessed Lord, remain Thou within our midst and bestow upon us mutual understanding in all that we are called to do. Take our moral natures and sanctify them; take our minds and broaden their range; take our pride and chasten it; and take our love and purify it. Do Thou safeguard our wills and discipline our habits and tendencies, that we may rise to that plane where the crosses and the losses of life have enriched us for wise service for Thy glory.

In Jesus' name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. JONES of Washington asked and was given permission to extend his remarks in the RECORD and include resolutions adopted by the City Council of the City of Seattle, Wash.

Mr. MEYER asked and was given permission to extend his remarks in the RECORD and include an editorial from the El Dorado (Kans.) Times.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include quotations in reference to the operation of the Office of International Information and Cultural Affairs.

Mr. SPRINGER asked and was given permission to extend his remarks in the RECORD and include an address delivered on yesterday by the Honorable SAM HOBBS at the unveiling of a portrait presented to the Committee on the Judiciary by the citizens of Dallas, Tex.

Mr. PRESTON asked and was given permission to extend his remarks in the RECORD in two instances and include in each an editorial.

THE MAY DAY PARADE AND CONGRESSIONAL SOMERSAULTS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a page advertisement from the Inglewood (Calif.) Daily addressed to the Eightieth Congress.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, someone asked me this morning if I went out and saw the May Day parade on yesterday. I said I did not have to go out; I saw it in the House—in reverse. I have never seen such turning of mental somersaults in my life.

It reminded me of a school of sick minnows in a crowded stream. I thought of the drunken Irishman who went out to see the circus parade and while they were all watching and wondering which way it was coming this Irishman looked down the street and saw the elephants turning the corner. He said, "Begorry, here comes the whole kaboodlement of them backards."

That is the way I felt when I saw this spontaneous turning of mental somersaults on the roll call on the rent-control bill on yesterday.

It reminded me of Mr. Wingo's snake railroad. He said:

> It wiggled in and wobbled out,
> And left the people all in doubt,
> Whether in its zigzag track
> It was going west or coming back.

THE MARINE CORPS

Mr. SMATHERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SMATHERS. Mr. Speaker, I read in the Jacksonville Times-Union 2 or 3 days ago that the Japanese in the Peleliu Island in the Pacific had finally surrendered to the United States marines.

We have always known that the marines were the first to fight, but this is evidence that the marines are also the last to fight. For 170 years they have rendered distinguished service to this country, and have proven to be an effective and efficient fighting unit, even though small in numbers.

The Congress is getting ready to consider the merger bill. It is the hope of all marines, their friends, and, I believe, the public generally, that in that merger bill the functions of the United States Marine Corps will be spelled out. Because it is such a small organization there is a great possibility that in the

merger bill they are liable to get lost in the shuffle, and we do not want that to happen.

Mr. DEVITT. Mr. Speaker, will the gentleman yield?

Mr. SMATHERS. I yield.

Mr. DEVITT. The gentleman does not feel that the Marine Corps should be only a police outfit, does he?

Mr. SMATHERS. Absolutely not. I thank the gentleman for that observation.

Mr. PRESTON. Mr. Speaker, will the gentleman yield?

Mr. SMATHERS. I yield.

Mr. PRESTON. Is it not a fact that the Marine Corps is recognized internationally as the greatest fighting force in the world?

Mr. SMATHERS. I hope so. I thank the gentleman for his observation.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. SMATHERS. I yield.

Mr. KEATING. I assume that when proper provision is made for the Marine Corps, as I certainly hope it will be made, the gentleman will support the bill for the unification of the armed services?

Mr. SMATHERS. Absolutely.

EXTENSION OF REMARKS

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include a report from the AAA.

PERMISSION TO ADDRESS THE HOUSE

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include two letters that I have just received.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

[Mr. FOGARTY addressed the House. His remarks appear in the Appendix.]

USE OF GOVERNMENT FUNDS IN SECTARIAN EDUCATIONAL INSTITUTIONS

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BRYSON. Mr. Speaker, due to increasing tendencies on the part of State governments and the Federal Government to circumvent the article of the Constitution written by our founding fathers establishing a wall of separation between church and state, it now seems necessary to give further expression to the meaning of the constitutional barriers against the appropriation of money for and to be used by sectarian educational institutions.

Therefore, I am today introducing a joint resolution proposing an amendment to the Constitution providing that neither Congress nor any of the several States shall aid any educational institution wholly or in part under sectarian control, except for educational benefits heretofore or hereafter granted to veterans or their dependents, and except for such aid or support of scientific research projects as may be authorized by the Congress in the interest of national security.

This amendment is not directed for or against any particular faith or creed, but applies to all faiths and creeds alike as was the original intent of the first amendment and is in keeping with our traditional precepts of the absolute separation of church and state. Not only should this separation be maintained, it should be made more definite and distinct. It is believed that the proposal that I am introducing would accomplish this purpose.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a radio address he delivered last evening.

Mr. HALE asked and was granted permission to extend his remarks in the RECORD and include a magazine article by Senator BREWSTER.

Mr. MUNDT asked and was granted permission to extend his remarks in the RECORD and include a newspaper excerpt.

Mr. KEATING asked and was granted permission to extend his remarks in the RECORD and include an address delivered by Hon. WILLIS W. BRADLEY, of California.

Mr. FOOTE asked and was granted permission to extend his remarks in the RECORD and include a United Press article setting forth the views of his British namesake.

Mr. KLEIN asked and was granted permission to extend his remarks in the RECORD and include an editorial from the newspaper PM entitled "Fair Play on Palestine."

Mr. HAND asked and was granted permission to extend his remarks in the RECORD and include correspondence between himself and Hon. Warren Austin.

INCOME TAXES IN NON-COMMUNITY-PROPERTY STATES

Mr. KEATING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, those of us who represent districts in non-community-property States very generally favor the equalization of the income-tax burden between those States and the minority of nine whose residents benefit from this law. We all contend that this inequitable situation ought to be corrected.

I was amazed the other day to pick up a paper with a press dispatch, three-quarter column length, announcing that the gentleman from North Carolina [Mr. DOUGHTON], the ranking minority member of the Committee on Ways and Means, had introduced a bill to make this community-property principle apply to the tax returns of residents in all the States.

Of course I favor such a proposition, but my amazement arose from three sources. First, he is quoted as having said, "I will insist on action in the present Congress." I attended the hearings before the Committee on Ways and Means and remember the united opposition of our friends across the aisle to any plan of tax reduction. I am happy, therefore, that the gentleman who occupies such a strategic position has now changed his viewpoint. My second cause for surprise arose from the fact that the gentleman from North Carolina did not take this step during the many years when he was chairman of the Committee on Ways and Means to remove this unfair burden from the taxpayers of 39 States.

But my chief bewilderment was experienced when I took the gentleman's bill H. R. 3228 dated April 28 and compared it with H. R. 1759 introduced by my able colleague from Missouri [Mr. REEVES] on the 6th day of February and found that there was not so much difference as a semicolon or comma between the two bills with the single exception that the ranking minority member of the Ways and Means Committee has added the word "hereby," by that action scarcely meriting, it seems to me, the accolade so deservedly earned by the author of this far-reaching and far-sighted proposal.

I hope this bill will meet with favorable consideration both by the committee and this House and that it will be known for what it is, not as the Doughton bill but the Reeves bill.

VISITING STUDENTS

Mr. OWENS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Speaker, our National Capital has been graced this week by the presence of many students from all over the Nation. We welcome them and trust that their short stay in Washington has been enjoyable, inspiring, and educational. At this time, I particularly desire to say a word of greeting to those students who reside within the Seventh Congressional District of Illinois, which district I have the honor and pleasure to represent. They have been visiting here with their companions from various high schools of Chicago, including Amundsen, Austin, Hirsch, Roosevelt, Schurz, Senn, and Taft, all schools of renown in that great city. I have had the pleasure to meet many of the students. They are a fine, clean group of young men and women of whom we can be justly proud. I can say with certainty that we do not have to worry about the future of our Nation.

Mr. Speaker, I wish to answer the comments of the gentleman from Mississippi [Mr. RANKIN] regarding the vote yesterday. All I can say to him is that if he can prevail upon the Members of his side of the aisle to sit as gentlemen should in Congress and respect the votes of others, rather than level boos and catcalls at a Member who was exercising a prerogative such as was being done by a gentleman from Ohio yesterday, they may succeed in their purpose. However, they are not going to achieve that result by arousing the Irish in the gentlemen on the other side of the aisle. Such action made it a purely party issue and evoked the proper penalty, if any.

Mr. RANKIN. That is a poor excuse for voting wrong.

Mr. OWENS. I did not vote wrong. Look at the RECORD.

The SPEAKER. The time of the gentleman from Illinois has expired.

RUBBER STAMPS AND REGIMENTATION

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, before I came to the Congress in 1943, I had read and heard considerable about rubber stamping and regimentation. As days and years went by Member after Member on the Republican side of the aisle arose and hurled the charge of rubber stamping in the direction of the Democratic Members and they sorely lamented the regimentation under which our people were compelled to live. On yesterday I saw both genuine rubber stamping and regimentation in action for the first time. It was the real thing.

What was the picture? The House had just voted on a motion to recommit the rent-control bill. The vote had not been announced but everyone knew that the motion had prevailed by 25 or 30 votes or more. At that moment we saw the distinguished majority leader go into a huddle with other Republican leaders. From the huddle he came, snapping the whip of the ringmaster and as he did his steeds promptly answered the call. One by one they marched up and changed their votes. The majority leader checked the vote and signaled that more changes were needed. His followers answered the signal without hesitancy until the required votes had been changed.

Mr Speaker, if one can correctly say there are any rubber stamps in the House today, I do not think he would cast his eye toward the Democratic side. And furthermore, if there is a group in the country which is truly regimented, it is the Republican membership in the House of Representatives.

My sympathy goes out to them.

The SPEAKER. The time of the gentleman from Mississippi has expired.

COORDINATOR OF INFORMATION

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I desire to call up House Resolution 183 and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

Resolved, That there is hereby created the office of Coordinator of Information for the House of Representatives. The Coordinator of Information, hereinafter referred to as the "Coordinator," shall be appointed by the Speaker of the House of Representatives, and his compensation shall be at the rate of $12,000 per annum. The provisions of section 501 of the Federal Employees Pay Act of 1945, as amended by section 5 of the Federal Employees Pay Act of 1946, shall not be applicable to the compensation of the Coordinator.

The Coordinator, under the direction of the Speaker, and utilizing so far as possible the results of work already done by public or private agencies or organizations, shall assemble, analyze, coordinate, and make available in digest, compilations, and otherwise, data with respect to legislation, proposals for legislation, and legislative problems, for the use of the committees and Members of the House, without partisan bias in selection or presentation.

The Coordinator, with the approval of the Speaker, shall employ and fix the compensation of such assistants, and make such expenditures, as may be necessary in the performance of his duties.

The expenses of the Coordinator, including salaries of the Coordinator and his assistants, shall, until otherwise provided by law, be paid out of the contingent fund of the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. PATMAN. Mr. Speaker, reserving the right to object, and I have no intention of objecting, I wish to ask the gentleman a question. He is chairman of the Committee on House Administration. I notice the resolution he has called up is No. 183. I have a resolution, No. 83, that I introduced on February 5 asking for the book Fascism in Action to be made a public document, and I was wondering what the status of that resolution was, if I may inquire.

Mr. LECOMPTE. That resolution has been referred to the Subcommittee on Printing of the Committee on House Administration.

Mr. PATMAN. I was told on Tuesday that it had been reported to your committee.

Mr. LECOMPTE. It has not been reported as yet. We have not had a meeting of the whole committee.

Mr. PATMAN. It was recorded in the CONGRESSIONAL RECORD of Tuesday that it had been reported by the Subcommittee on Printing to your committee; and that is the occasion for my inquiry now.

Mr. LECOMPTE. Let me say to the gentleman that that may be, that it has been agreed to by the Subcommittee on Printing but it has not reached the full committee because we have not had a meeting of the full committee.

Mr. PATMAN. Does the gentleman propose to take it up with the full committee?

Mr. LECOMPTE. I am going to invite the Subcommittee on Printing to bring up any subject it may wish to present at the next meeting of the Committee on House Administration.

Mr. RANKIN. Mr. Speaker, reserving the right to object, will the passage of this resolution the gentleman is calling up help us get rid of some of those Red propagandists in the Library of Congress?

Mr. LECOMPTE. I am going to present this resolution. The gentleman can draw his own conclusions about it.

Mr. RANKIN. If it will, I will go along with the gentleman.

Mr. SABATH. Mr. Speaker, reserving the right to object, this resolution does not mean to authorize the printing of these documents to which the gentleman from Texas has called attention.

Mr. LECOMPTE. This is House Resolution 183. The gentleman from Texas referred to House Resolution 83, an entirely separate resolution. He took this occasion to make inquiry about House Resolution 83.

Mr. SABATH. His resolution requests this House to have printed certain documents with reference to the activities of the Fascists in this country just as the gentleman from Illinois succeeded in having printed certain other documents.

Mr. LECOMPTE. The title of the document which the gentleman from Texas referred to is Fascism in Action. I guess that it is 1,600 pages. I have not had an opportunity to read it myself but I would hazard a guess that it would be a book of 1,500 pages in length and maybe longer. That is just my guess from glancing at the manuscript.

Mr. PATMAN. For the gentleman's information I asked the Printing Office to give me an estimate and I find their estimate compares favorably with the estimate of the book Communism in Action.

Mr. LECOMPTE. The estimate is a great deal more. It is many times as large as Communism in Action.

Mr. PATMAN. I think the gentleman is mistaken, but even if it does develop to be that much it will still be worth while. I believe the gentleman expressed doubt that people would pay a dollar a copy for 1,500 copies, yet I believe he has already received a greater number of requests at a dollar a copy.

Mr. LECOMPTE. The gentleman knows that his resolution calls for the expenditure of $1,500 or $1,600 for the printing of about a thousand or twelve hundred copies.

Mr. PATMAN. I do not ask for the printing, I just asked that it be made a public document.

Mr. LECOMPTE. But the gentleman wants it printed as a document, does he not?

Mr. PATMAN. We will pay for it then.

Mr. SABATH. Mr. Speaker, further reserving the right to object, was this resolution reported by any committee?

Mr. LECOMPTE. The gentleman refers to House Resolution 183?

Mr. SABATH. Yes.

Mr. LECOMPTE. It was reported and the report appears in the CONGRESSIONAL RECORD of 3 or 4 days ago.

Mr. SABATH. Does it have the unanimous vote of the committee?

Mr. LECOMPTE. No, it was not reported out unanimously, but it was reported out by a majority of the House Administration Committee.

Mr. SABATH. And the majority asks for it, desires it, and feels that they ought to have such coordinator?

Mr. LECOMPTE. We are asking to bring it up by unanimous consent, I may say to the gentleman from Illinois.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 6, insert after the third word in the line the words "not more than."

Page 1, line 12, strike out the words "so far as possible."

Page 2, line 4, strike out "proposals for legislation and legislative problems."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CUNNINGHAM asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include an address he made.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include an article from the New York Times.

Mr. BENDER asked and was given permission to extend his remarks in the RECORD in two different instances.

Mr. LATHAM asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article.

NON-COMMUNITY-PROPERTY STATES

Mr. BANTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BANTA. Mr. Speaker, I have just discussed with my colleague, the gentleman from New York [Mr. KEATING], his comparison of H. R. 1759 and H. R. 3228 and have discovered his third reason for consternation regarding the introduction of the second bill, namely, H. R. 3228. On the 6th of February, this year, the gentleman from Missouri, my distinguished colleague [Mr. REEVES], introduced a bill covering this subject and on the 24th day of February addressed the House at length in explanation of his bill, H. R. 1759. Since my discussion with the gentleman from New York, I have taken the trouble to compare this bill with the one since introduced—H. R. 3228—and find that they are identical to the last comma, except for the inclusion in the bill of the gentleman from North Carolina of the rather inconsequential word "hereby."

I hope—and in expressing this hope, speak out for all my colleagues newly arrived in this House—that when this matter comes before the Ways and Means Committee, it will receive favorable consideration and that the bill which emanates from that committee will be what it properly should be, the Reeves bill and not the Doughton bill.

SPECIAL ORDER GRANTED

Mr. REDDEN. Mr. Speaker, I ask unanimous consent that today after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ADJOURNMENT OVER

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, can the gentleman give us at least a majority part of the program for next week?

Mr. ARENDS. I may say to the minority leader it is expected the Rules Committee will report out a rule on the Greek-Turkish bill this afternoon some time and contemplating that the following program for next week will be taken up:

On Monday we will take up the Consent Calendar. Immediately thereafter we will start general debate on the Greek-Turkish loan bill, H. R. 2616.

On Tuesday, we will consider bills on the Private Calendar, thereafter continuing debate on the Greek-Turkish bill.

On Wednesday we hope to conclude discussion of the Greek-Turkish matter.

On Thursday we will take up the State, Justice, and Judiciary appropriation bill, concluding consideration of that bill on Friday.

Saturday is as yet undetermined.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from South Dakota.

Mr. MUNDT. On the Greek-Turkish bill, we had asked for 3 days general debate.

Mr. ARENDS. Not knowing exactly what report will come from the committee, we assume that possibly 8 hours of general debate will be granted, but we hope to conclude it by Tuesday night.

COMMITTEE ON RULES

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SECOND DEFICIENCY APPROPRIATION BILL, 1947

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 201 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, notwithstanding the provisions of clause 2, rule XXI, it shall be in order to consider, without the intervention of any point of order, in connection with the consideration of the bill (H. R. 3245) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, the language contained in the bill on page 24, lines 15 to 24, inclusive, and on page 25, lines 1 and 2.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, this resolution waives points of order against section 400 of the second deficiency appropriation bill. This section starts on page 24, line 15, of the bill, and continues through line 2 of page 25, and prohibits the use of appropriated funds for increased cost resulting from the reallocation to a higher grade of positions in Government agencies. The Appropriations Committee wrote this section into the bill to curb the increasing cost of personal services in the executive agencies. Upgrading of positions has nothing to do with increasing the salary of a particular employee who is deserving, but refers to the changing of the grade and salary of a whole class of employees. For example, a Government agency needs someone to file papers and do other work around the office. This work has always been done by a clerk in grade CAF-2, receiving a salary of $1,954 a year. But the department is unable to find anyone who will work for this salary, so they change the title of the job from clerk to administrative assistant, grade CAF-7, and raise the salary from $1,954 a year to $3,397, but the duties and responsibilities of the job are not changed.

During the past few years there has been a constant upgrading of positions in the Federal service by advancing positions from grade to grade. This practice is unnecessary, as periodic promotions and salary increases are insured Government employees under the Ramspeck law. Without upgrading positions, Government departments can hire persons within a specific grade and pay a varying salary, depending upon the qualifications of the prospective employee. Section 400 of this bill was not inserted to discourage initiative by denying it reward. Deserving individuals can still be promoted to more responsible and more lucrative positions, and a wide range of salaries can be paid to employees within the same grade. Therefore, no individual employees will suffer because of this provision. Section 400 merely prevents an agency's changing the title of a specific position and increasing the salary without a corresponding increase in duties and responsibility.

Most of the increased salaries resulting from these upgradings show up finally in a deficiency appropriation. This happens because reclassifications of positions become effective immediately upon their approval, instead of postponing the effective date until the new position can be included in a regular budget request. Section 400 provides that such increases must be presented in the regular appropriations' request before they can become effective and that they must be justified as an increase over prior appropriations.

This section of the bill is legislation and could not ordinarily be included in an appropriation bill, as it is a violation of clause 2 of rule 21 of the Rules of the House. This rule merely protects section 400 from points of order. I am sure that every Member of Congress is in favor of this move by the Appropriations Committee to curb unnecessary expenditures by Government agencies, and I expect there will be no opposition to this rule.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Georgia.

Mr. PACE. What are the questions that need waiving points of order?

Mr. ALLEN of Illinois. The purpose is, it prohibits the use of appropriated funds for increased cost resulting from the reallocation to a higher grade of positions in Government agencies. The Appropriations Committee wrote this

section into the bill to curb the increasing cost of personal services in the executive agencies. Upgrading of positions has nothing to do with increasing the salary of a particular employee who is deserving, but refers to the changing of the grade and salary of a whole class of employees. For example, a Government agency needs someone to file papers and do other work around the office. This work has always been done by a clerk in grade CAF-2. But the department is unable to find anyone who will work for this salary, so they change the title of the job from clerk to administrative assistant and raise the salary, and sometimes double and triple them, so the purpose of this is not to permit that to be done.

Mr. PACE. That is the only point?

Mr. ALLEN of Illinois. That is all.

RULE SHOULD BE ADOPTED

Mr. SABATH. Mr. Speaker, although this appropriation bill contains legislation to which I have always been opposed, I do believe that in this instance the legislation is in the right direction and should receive favorable consideration.

It has been my experience for many, many years that in the last 2 or 3 months of the fiscal year, when the departments find they have not expended all their appropriations, they spend most of their time contriving ways of spending the unexpended balances. This legislative rider, though involving a practice I deplore, will keep the various agencies from getting rid of their money by increasing the salaries of employees.

I am not opposed to paying better salaries to Government employees; in fact, I think we should be more liberal with some of the men and women of vast experience and ability who have served faithfully for 6, 8, 10, or 15 years. It appears that under existing law they cannot be promoted in accordance with their deserts. The result is that private industry—corporations, trade associations, big law firms, and the like—step in and offer these faithful and capable public servants two and three times as much as we are paying them, and take them out of public service, to the detriment of the public interest and governmental efficiency.

DEPARTMENT OF JUSTICE SHOULD GET BIGGER SALARIES

For instance, in the Department of Justice we have an able and outstanding Attorney General, the Honorable Tom C. Clark, of Texas, and just the other day many of us went down there to help swear in as a new Assistant Attorney General the genial assistant to the Attorney General who has helped us so long, the Honorable Gus Vanech.

But no matter how capable and willing the Attorney General and the Assistant Attorneys General are, nor how hard they themselves work, they cannot handle personally all the legal actions for or against the Government. They must have a trained and capable and willing staff of assistants on whom they can rely absolutely.

Yet, in that Department we have trained lawyers getting $3,000, $3,600, or sometimes $4,600 a year, obliged to go up against corporation lawyers who receive $25,000 or $50,000 a year.

Much the same holds true in such specialized services as the internal revenue service.

I believe that we should pay the skilled professional people in Government service fair salaries commensurate with their training and ability so that we can keep them in public service and get the benefit of the experience and knowledge they have gained.

That end should be gained, however, by proper legislation from the appropriate committees. The Committee on Appropriations cannot, of course, and should not, legislate on that matter; but when such a request comes along I hope it will be supported by all the Members including those of the Appropriations Committee so that the salaries of these deserving and hard-working public servants can be increased.

I feel that we may be able to save some money under the provisions of this bill, and that of what we save we can at least allocate a small portion to these deserving, underpaid employees of our Government.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. TABER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3245) making appropriations to supply deficiencies in certain appropriations for fiscal year ending June 30, 1947, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 2 hours, to be equally divided and controlled by the gentleman from Missouri [Mr. CANNON] and myself.

Mr. CANNON of Missouri. Reserving the right to object, Mr. Speaker, I take it for granted that that means that in the event the debate can be sooner concluded we will not be required to use the entire 2 hours.

Mr. TABER. That is correct, and we will begin to read the bill as soon as the debate is concluded.

Mr. CANNON of Missouri. That is quite agreeable, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3245, with Mr. HOPE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. TABER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill calls for a total of new funds out of the Treasury of $95,478,658.70. It also calls for other amounts that come out of various other funds required to meet the provisions of the pay increase act of last year, Public Law No. 390. It winds up the requirements for that bill. In connection with that bill there have been other items of very large sums of money which have had to be provided. The total increased cost of the different pay acts was estimated by the budget in January to be $598,986,000. Of this the budget required $235,323,097 to be absorbed.

The Committee on Appropriations has been over those items very carefully. We have had hearings on them. We have had consultations with representatives of the Budget and the agencies. We have managed it so that the agencies have absorbed $53,819,000 more out of that pay increase than the budget estimated they would be able to do. The amount that is shown below the budget estimates is as low as it is, about $7,000,000, because the budget, following our operations, has reduced the various estimates so that our net savings are only about $7,000,000.

The bill provides insofar as is necessary for the activities of the Government for the balance of the year after the funds can be available as they need them.

In almost every case there has been a complete agreement with the agency represented, as to the amount of the savings. As to most of the others, I believe there is little opportunity for difference.

The largest items involved are $75,000,000 for the War Assets Administration. I might say that as a result of the pressure we were able to put on, and the hearings which we held, an estimate of $20,000,000 for pay act increase money was withdrawn. That $75,000,000 goes to the War Department and the Navy Department for the handling of surplus property.

There are various smaller items, most of them running into less than a million dollars, the large item being for the Post Office Department. The total for the Post Office Department will represent approximately $60,382,000 out of the $95,000,000 involved in the bill. $4,195,000 is for the operation of the United Nations, and represents an increase in the assessment against the United States, which was agreed on last fall, after the committee had made its regular appropriation.

In the Department of State, the item included there is very largely a pay item.

In the Coast Guard they have absorbed in another fund, about $1,060,000 of their pay increase.

The entire bill has been presented here with a report from the committee the other day, and in it we have included this provision, which, frankly, is a provision for which, in this one bill, we require a rule. That appears on page 24 of the bill:

> No appropriation or fund made available by this or any other appropriation act to the executive departments and establishments, including corporations, for personal services shall be available to pay any increased cost resulting from the allocation or reallocation hereafter of a position to a higher grade, or resulting from the creation of a new position, if such increased cost would result in an increase in the total obligations on an annual basis under such appropriation or fund: *Provided*, That this prohibition shall not apply to the initial creation of positions to carry out new programs or functions for which specific appropriations are made available.

That was brought to my attention by reason of the enormous number of reallocations of positions that were made, and the continuous demand upon the Appropriations Committee resulting

from reallocations, a large portion of which we found were not justified, all the time.

In one item alone that was presented to us here this year of $25,000 for one agency, every dollar resulted from reallocations of positions, and it was without regard to merit, because some of those reallocations resulted in enormous increases in the salaries of these people and in many cases with no justification whatever.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. REES. Would the gentleman care to disclose the agency he just mentioned?

Mr. TABER. It was the Second Assistant Postmaster General's office under Mr. Gael Sullivan, the present blight in the Democratic National Committee.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I yield myself five additional minutes.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RANKIN. Is there anything in this bill affecting the work of the Corps of Army Engineers?

Mr. TABER. I think not. If there is it is a very minor item. It would be some little thing like an audited claim which would not amount to anything. I cannot remember anything and I cannot find anything. The hearings on that office will come under the civil functions bill of the War Department. The appropriation for the Army engineers will be carried in that bill.

Mr. RANKIN. Who is the chairman of that subcommittee?

Mr. TABER. The gentleman from Michigan [Mr. ENGEL].

I have here, if anyone is interested, a table which shows the tremendous percentage of employees who have been moved into higher grades in these different agencies. This is an over-all picture. It shows the tremendous upgrading since October 1942. I will not go into detail on it at this time unless it is desired.

There has been some criticism by some people about the operations of the Appropriations Committee with reference to veterans' appropriations, and the speed with which they have operated. Perhaps it might be proper at this point to tell the House just exactly what has happened.

On January 31 a budget estimate was sent up to Congress asking for certain funds. On February 11, just as soon as we were able to do so, we had hearings lasting for a long time and were unable to find out the things we needed to know in order to pass on the budget estimate. We did carry a part of the estimate totaling $165,000,000 in the urgent deficiency bill, which was supposed to carry them through until March 31, and it has met their obligations through April 30.

Large volumes of intricate justifications were presented by the Veterans' Administration, and after the urgent deficiency bill had been passed on February 17, as soon as we were able, we had the Veterans' Administration up again and held hearings all day. We later had them up for further hearings, and just as fast as the bill could be written up it was reported to the House, and it was passed April 1, 1947.

That bill was in the Senate and did not come back to us until the 25th of April. A conference was held as quickly as we were able to arrange it and the conference report was passed on Wednesday, April 30. The conference report went through the Senate, May 1, and was signed by the President.

Where there was any delay on the part of the House Appropriations Committee, I do not see.

Mr. Chairman, I reserve the balance of my time.

Mr. CANNON. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, membership in the American Congress—in any American Congress—has always involved great responsibilities. But there have been milestone Congresses which have been called upon to determine critical issues which have changed the course of world history.

The Eightieth Congress is such a Congress. Never before in the annals of the American Republic has the Nation faced so many vital problems as confront this Congress.

In this generation we have fought victoriously two world wars, the two greatest wars of all time. We have come through virtually unscatched. Of all the nations which participated we alone have been uninvaded and continue production today without interruption. Not a brick is out of place, not a railroad rail removed, not a bridge destroyed, while throughout the territory of allies and enemies alike, there is destruction, devastation and destitution.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. The gentleman has stated that not a bomb dropped on our country. What about the Federal Treasury; would the gentleman say that it was not hit by a bomb?

Mr. CANNON. Mr. Chairman, our Federal Treasury is today in relative better condition than any country engaged in the war. Some have no treasury left at all. In Germany and Japan, formerly among the greatest industrial nations of the world, treasury and all governmental assets have been completely wiped out. Every other nation that participated in the war after expenditure to the utmost of their national resources have nothing left to compare with our rapidly recovering economy. We stand today upon a pinnacle of opportunity such as has never been afforded any other nation in all the tide of time.

We have today billions of dollars worth of the most modern manufacturing plants, with equipment geared to mass production.

We have the trained personnel to operate them. Throughout the length and breadth of the land we have pilots, navigators, technicians, artisans, engineers, men trained to every branch of modern mechanism and scientific research. We have the plants, we have the equipment, we have the personnel, and we have the power.

We produce in America more electric current than all the rest of the world combined. We have electricity, oil, coal, and, last but not least, we have the secret of electrical energy which our scientists tell us will revolutionize the application of power to machinery in the next 10 to 25 years.

And we have the raw materials channeled to the points of consumption.

Last, we have the transportation facilities. We have not only the highways and railroads, with trucks and rolling stock, but we have merchant fleets and air fleets unequaled by any nation or all nations combined. We can produce the goods and we can deliver them.

We possess the plants, the personnel, the power, the raw material, the transportation, and the know-how.

I think it was generally conceded—I know I grew up with the idea—that Germany produced the most advanced scientists and technicians of modern times.

But in this war we demonstrated the superiority of the American scientists in the indubitable crucible of a war of extermination. Had it not been for the proximity fuze, radar, the atomic bomb, and a thousand other technical developments which flowed from the laboratories of American scientists, under the encouragement and direction of this Congress, we would still be fighting the war today.

Mr. FOLGER. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from North Carolina.

Mr. FOLGER. Can we claim along with all these things, which are accurately and correctly, I think, referred to, that we also have the disposition for production and peace in the world?

Mr. CANNON. I am glad to have the gentleman suggest that.

Never before in the history of human conflict has any nation emerged victorious from a great war without developing a plan of world conquest and imperialistic control evidenced in the seizing of trade advantages and territory.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CANNON. Mr. Chairman, I yield myself 10 additional minutes.

America, after winning two wars, has not asked for a single advantage. She has not sought trade concessions. She has not asked for a single square foot of territory. She asked only that she be allowed to live in peace and comity with all nations under conditions which afford every man individual liberty and a high standard of living.

We have the plants, we have the personnel, we have the power, we have the raw materials, and we have scientific attainment, and we have the market, such a market as was never dreamed of.

Prior to this war Japan was outselling us in our own markets. Germany, in every market in the world, was offering goods at a price that staggered American competition. England, with her vast empire and her legislative and economic control all but closed many colonial markets to American goods.

Today competition has vanished. We can produce goods more rapidly and more cheaply than any competing nation.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. The gentleman says it has never happened in America. What about the OPA?

Mr. CANNON. Some of our friends seem to have an obsession on that subject. They cannot talk about anything from nadir to zenith without bringing in OPA.

Mr. SMITH of Ohio. How could it be otherwise?

Mr. CANNON. The recent rise in the price of commodities throughout the country demonstrates that without OPA we could not have come so successfully through the war years. It rendered an incomparable service. It was one of the immediate factors in winning the war. Throughout the long struggle we maintained stability of prices and supplies unequaled by any other country.

We are at the crossroads. We inherit not only these opportunities but the responsibilities that go with them, and we have but to glance back in our own history to appreciate the difficulties which beset us.

Aaron Burr with his overweening ambition menaced Jefferson's plan for a united continent. He was a man of exceptional ability. Few American statesmen have surpassed him in ability. He may have been honestly mistaken, but at that critical time in the history of America he was a menace to the Government and the principles on which it was founded.

Again, in those tragic days preceding civil conflict two groups represented by Jefferson Davis at one extreme and William Lloyd Garrison at the other through their refusal to follow legislative processes and their insistence on resort to the arbitrament of the sword turned back the clock of American history 100 years.

And in the reconstruction period there came to untimely power men like Thaddeus Stevens whose vindictive provincialism not only desolated the South but indefinitely retarded national progress.

And within the memory of men sitting here today Henry Cabot Lodge made the Second World War inevitable.

When we look back upon these tragic pages of American history and note the mistakes made—mistakes made honestly, I am certain—mistakes made with patriotic fervor, no doubt, it behooves us to pause and reflect, however clear our course appears to be, however high our principles and unimpeachable our motives, that we should move only with the greatest caution.

There is so much at stake, we cannot afford to make a mistake. It is not a time for pettiness, for partisanship, for provincialism.

The bill before us conforms in every respect to the requirements of economical legislation. It economizes where economy is needed. It provides adequately for the essential functions of government. I commend the chairman and the committee on its provisions. It should be passed without amendment.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, I listened with great interest to the distinguished gentleman from Missouri in his kaleidoscopic description of world facts. He was very interesting. I heard the gentleman again denounce Henry Cabot Lodge, a former Senator from the State of Massachusetts, as making inevitable, as he said, the Second World War. I assume the reason for that was because it is alleged by some people that he was responsible for the collapse of the League of Nations, due to our failure to enter the League of Nations, as requested by the then President, Mr. Wilson. It is because of that that I desire to take just a few minutes to place in the RECORD some facts in which I think you might be interested which I developed in the hearings on this bill. They are in the hearings, but few people have the opportunity to see them.

We now have a United Nations organization. I think it is safe to say that there are few Members of this Congress and few people in America who do not share the hope that out of this organization there will ultimately evolve a program that will guarantee the future peace of this world. I think it augurs well that at least on paper we have the large number of sovereignties that have signed the Charter of the United Nations.

I note in accordance with the testimony on this pending bill the percentages allotted to the various member states of the total expense of organization and maintenance of the United Nations. When we get back into the House I shall ask unanimous consent to include at this point in my remarks a statement showing the percentages of liability of the various member nations for the support of that organization, of which I note the United States is assessed 39.89 percent of the total cost as against 6.30 for China; 6.30 for France; 6.62 for the Union of Soviet Socialist Republics; and 11.98 for the United Kingdom. This ought to demonstrate clearly that the United States is in a dominant position as far as payment of costs and expense of maintenance and organization of the United Nations is concerned.

Contributions scale, United Nations 1946 budget

	Percent
Afghanistan	(1)
Argentina	1.94
Australia	2.00
Belgium	1.42
Bolivia	.08
Brazil	1.94
Byelorussian Soviet Socialist Republic	.23
Canada	3.35
Chile	.47
China	6.30
Colombia	.39
Costa Rica	.04
Cuba	.30
Czechoslovakia	.95
Denmark	.81
Dominican Republic	.05
Ecuador	.05
Egypt	.81
El Salvador	.05
Ethiopia	.08
France	6.30
Greece	.17
Guatemala	.05
Haiti	.04
Honduras	.04
Iceland	(1)
India	4.09
Iran	.47
Iraq	.17
Lebanon	.06
Liberia	.04
Luxemburg	.05
Mexico	.68
Netherlands	1.47
New Zealand	0.52
Nicaragua	.04
Norway	.52
Panama	.05
Paraguay	.04
Peru	.21
Philippines	.30
Poland	1.00
Saudi Arabia	.08
Sweden	(1)
Syria	.12
South Africa	1.15
Turkey	.93
Ukrainian Soviet Socialist Republic	.88
Union of Soviet Socialist Republics	6.62
United Kingdom	11.98
United States	39.89
Uruguay	.18
Venezuela	.28
Yugoslavia	.34
Total	100.00

Footnote at end of table.

[1] Members admitted in 1946 are assessed a fraction (at least 33⅓ percent) of their percentage of assessment for 1947 applied to the 1946 budget. Amounts thus allocated are credited to the 1947 budget.

See the following table:

	Percentage assessment	Assessment
Afghanistan	0.0166	$3,192.18
Iceland	.0133	2,557.59
Sweden	.7833	150,628.59

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. SMITH of Ohio. I think it might be interesting to set alongside those figures the figures showing the loan and grants which the several countries composing this organization are receiving from the United States through the International Monetary Fund, through the Export-Import Bank, through the International Bank and so forth. I believe it will be clearly shown by doing so that in reality the United States is paying the whole amount.

Mr. KEEFE. Those figures might possibly reflect the situation which the gentleman discloses. I do not have those figures in tabular form, however.

The next table I seek to bring to your attention is a table showing the payments to the United Nations for the working capital fund and for the 1946–47 budget. I commend this table to your attention and study as indicative of the interest of the various states in maintaining the United Nations organization and the amounts that have been paid by the various states to the original working capital fund and to the assessments that have been levied in the 1946 and 1947 budgets.

Statement of payments to the United Nations for the working capital fund, and the 1946 and 1947 budgets, Apr. 1, 1947

[Amounts rounded to nearest dollar]

Country	Working capital fund		1946 budget		1947 budget		Payments made in excess of assessments	Total payments
	Assessed advances	Payments	Assessments	Payments	Assessments	Payments		
Afghanistan	$10,000		$3,192		$13,725			
Argentina	370,000	$370,000	373,062	$373,062	507,825	$2,688		$745,750
Australia	394,000	394,000	384,600	384,600	540,765	270,382		1,048,982
Belgium	270,000	270,000	273,066	273,066	370,575	370,575		913,641
Bolivia	16,000		15,384		21,960			
Brazil	370,000	370,000	373,062	373,062	507,825	507,825	(1)	1,250,887
Byelorussian S. S. R	44,000	44,000	44,229	44,229	60,390	60,390	35,881	184,500
Canada	640,000	640,000	644,205	450,500	878,400			1,090,500
Chile	90,000	90,000	90,381	20,272	123,525			110,272
China	1,200,000	1,200,000	1,211,490	400,000	1,647,000			1,600,000
Colombia	74,000	74,000	74,997	74,997	101,565	3,503		152,500
Costa Rica	8,000	8,000	7,692	4,250	10,980			12,250
Cuba	58,000	58,000	57,690	57,690	79,605	36,810		152,500
Czechoslovakia	180,000	174,205	182,685		247,050			175,205
Denmark	158,000	158,000	155,763	155,763	216,855	2,000		315,763
Dominican Republic	10,000	10,000	9,615	2,250	13,725			12,250
Ecuador	10,000	10,000	9,615	2,250	13,725			12,250
Egypt	158,000	158,000	155,763	155,763	216,855	60,487		374,250
El Salvador	10,000	10,000	9,615	2,250	13,725			12,250
Ethiopia	16,000	16,000	15,384	15,384	21,960	21,960	10,656	64,000
France	1,200,000	1,200,000	1,211,490	200,000	1,647,000			1,400,000
Greece	34,000	34,000	32,691	32,691	46,665	31,809		98,500
Guatemala	10,000	10,000	9,615	2,250	13,725			12,250
Haiti	8,000	8,000	7,692	4,250	10,980			12,250
Honduras	8,000	8,000	7,692	7,692	10,980	10,980		26,672
Iceland	8,000		2,558		10,980			
India	790,000	790,000	786,507	786,507	1,084,275			1,576,507
Iran	90,000	90,000	90,381	62,500	123,525			152,500
Iraq	34,000		32,691		46,665			
Lebanon	12,000	12,000	11,538	250	16,470			12,250
Liberia	8,000	8,000	7,692	4,250	10,980			12,250
Luxembourg	10,000	10,000	9,615	2,250	13,725			12,250
Mexico	126,000	126,000	126,918	126,918	172,935	150,832		403,750
Netherlands	280,000	280,000	282,681	77,000	384,300			357,000
New Zealand	100,000	100,000	99,996	99,996	137,250	48,504		248,500
Nicaragua	8,000	8,000	7,692	167	10,980			8,167
Norway	100,000	100,000	99,996	99,996	137,250	120,004		320,000
Panama	10,000	10,000	9,615	2,250	13,725			12,250
Paraguay	8,000	8,000	7,692	4,250	10,980			12,250
Peru	40,000	40,000	40,383	40,383	54,900	54,900	17,217	152,500
Philippines	58,000	58,000	57,690	6,000	79,605			64,000
Poland	190,000	190,000	192,300	117,750	260,775			307,750
Saudi Arabia	16,000	16,000	15,384	15,384	21,960	21,960	20,406	73,750
Sweden	470,000		150,629		645,075			
Syria	24,000	24,000	23,076	23,076	32,940	2,174		49,250
Turkey	182,000	182,000	178,839	178,839	249,795	249,795		610,634
Ukrainian Soviet Socialist Republic	168,000	168,000	169,224	139,750	230,580			307,750
Union of South Africa	224,000	224,000	221,145	221,145	307,440	307,440		752,585
Union of Soviet Socialist Republics	1,268,000	1,268,000	1,273,026	455,000	1,740,330			1,723,000
United Kingdom	2,296,000	2,296,000	2,303,754	2,303,754	3,151,260			4,599,754
United States	7,978,000	6,153,500	7,670,847	5,000,000	10,949,805			11,153,500
Uruguay	36,000	36,000	34,614	34,614	49,410	49,410	5,476	125,500
Venezuela	54,000	54,000	53,844	53,844	74,115	17,656		125,500
Yugoslavia	66,000	66,000	65,382	65,382	90,585	53,118		184,500
Total	20,000,000	17,631,705	19,386,378	12,957,526	27,450,000	2,455,202	89,636	33,134,069

[1] Not known.

Another table that is of interest in connection with this situation is a statement of arrears of contributions to the United Nations for the working capital fund and for the 1946 and 1947 budgets. These three tables are of considerable interest.

Statement of arrears in contributions to the United Nations for the working capital fund a nd for the 1946 and 1947 budgets, Apr. 1, 1947

Country	Working capital fund		1945 budget		1947 budget		Tota arrears or credits
	Assessed advances	Payments in arrears	Assessments	Payments in arrears	Assessments	Payments in arrears	
Afghanistan	$10,000	$10,000	[1] $3,192	[1] $3,192	$13,725	$13,725	[1] $26,917
Argentina	370,000		373,062		507,825	505,137	505,137
Australia	394,000		384,600		540,765	270,383	270,383
Belgium	270,000		273,066		370,575		
Bolivia	16,000	16,000	15,384	15,384	21,960	21,960	53,344
Brazil	370,000		373,062		507,825		(2)
Byelorussian S. S. R	44,000		44,229		60,390		[3] (35,881)
Canada	640,000		644,205	193,705	878,400	878,400	1,072,105
Chile	90,000		90,381	[1] 70,109	123,535	123,525	[1] 193,634
China	1,200,000		1,211,490	811,490	1,747,000	1,647,000	2,458,490
Colombia	74,000		74,997		101,565	98,062	98,062
Costa Rica	8,000		7,692	3,442	10,980	10,980	14,422
Cuba	58,000		57,690		79,605	42,795	42,795
Czechoslovakia	180,000	5,795	182,685	182,685	247,050	247,050	435,530
Denmark	158,000		155,763		216,855	214,855	214,855
Dominican Republic	10,000		9,615	7,365	13,725	13,725	21,090
Ecuador	10,000		9,615	7,365	13,725	13,725	21,090
Egypt	158,000		155,763		216,855	156,368	156,368
El Salvador	10,000		9,615	7,365	13,725	13,725	21,090
Ethiopia	16,000		15,384		21,960		[3] (10,656)
France	1,200,000		1,211,490	1,011,490	1,647,000	1,647,000	2,658,490
Greece	34,000		32,691		46,665	14,856	14,856
Guatemala	10,000		9,615	7,365	13,725	13,725	21,090
Haiti	8,000		7,692	3,442	10,980	10,980	14,422
Honduras	8,000		7,692		10,980		
Iceland	8,000	8,000	[1] 2,558	[1] 2,558	10,980	10,980	[1] 21,538
India	790,000		786,507		1,084,275	1,084,275	1,084,275
Iran	90,000		90,381	27,881	123,525	123,525	151,406
Iraq	34,000	34,000	32,691	32,691	46,665	46,665	113,356
Lebanon	12,000		11,538	11,288	16,470	16,470	27,758
Liberia	8,000		7,692	3,442	10,980	10,980	14,422

Footnotes at end of table.

Statement of arrears in contributions to the United Nations for the working capital fund and for the 1946 and 1947 budgets, Apr. 1, 1947—Con.

Country	Working capital fund		1945 budget		1947 budget		Total arrears or credits
	Assessed advances	Payments in arrears	Assessments	Payments in arrears	Assessments	Payments in arrears	
Luxembourg	$10,000		$9,615	$7,365	$13,725	$13,725	$21,090
Mexico	126,000		126,918		172,935	22,103	22,103
Netherlands	280,000		282,681	205,689	384,300	384,300	589,981
New Zealand	100,000		99,996		137,250	88,746	88,746
Nicaragua	8,000		7,692	7,525	10,980	10,980	18,505
Norway	100,000		99,996		137,250	17,246	17,246
Panama	10,000		9,615	7,365	13,725	13,725	21,090
Paraguay	8,000		7,692	3,442	10,980	10,980	14,422
Peru	40,000		40,383		54,900		[3] (17,217)
Philippines	58,000		57,690	51,690	79,605	79,605	131,295
Poland	190,000		192,300	74,550	260,775	260,775	335,325
Saudi Arabia	16,000		15,384		21,960		[3] (20,406)
Sweden	470,000	$470,000	[1] 150,629	[1] 150,629	645,075	645,075	[1] 1,265,704
Syria	24,000		23,076		32,940	30,766	30,766
Turkey	182,000		178,839		249,795		
Ukrainian Soviet Socialist Republic	168,000		169,224	29,474	230,580	230,580	260,054
Union of South Africa	224,000		221,145		307,440		
U. S. S. R.	1,268,000		1,273,026	818,026	1,740,330	1,740,330	2,558,356
United Kingdom	2,296,000		2,303,754		3,151,260	3,151,260	3,151,260
United States	7,978,000	1,824,500	7,670,847	2,670,847	10,949,805	10,949,805	15,445,152
Uruguay	36,000		34,614		49,410		[3] (5,476)
Venezuela	54,000		53,844		74,115	56,459	56,459
Yugoslavia	66,000		65,382		90,585	37,467	37,467
Total	20,000,000	2,368,295	[1] 19,386,378	6,428,852	27,450,000	24,994,798	[4] 33,791,945 [5] 89,636

[1] Rounded to nearest dollar.
[2] Credit to 1948, if any, not known.
[3] Credits indicated by figures in parentheses. Any excess of payment for the 1947 budget is credited to member's contribution for 1948 or refunded to the member if so requested. These credits result from excess advances to the working capital fund, which were more than enough to cover the respective member's contributions for 1946 and 1947.
[4] Arrears.
[5] Credits.

It has always been my idea that the greatest way for any individual to express his interest in a program is to make an investment in it and lay the money down on the line. To have an assessment and to pay it without question, and to pay it on time, is the best evidence of the real interest of an individual in any worth-while project. I trust that the evidence of delinquencies that are apparent in this table that I shall introduce into the RECORD, furnished by the State Department will not be any evidence of a lack of interest on the part of these nations that are in arrears in their payments to the United Nations original fund or in their arrears in payments for the 1946–1947 budget.

Mr. Chairman, if we are to have a working United Nations organization that will effectively deal with the international problems and be an effective deterrent to another world war, it seems to me that one of the fundamentals is that each nation that is a signatory and member of the United Nations shall without question and without stint meet its full and complete obligation each year as the assessments are made in order that Uncle Sam may not be called upon as the years go on to bear the entire or a large portion of the expense of the maintenance of the United Nations organization. I believe that the nations of the world that are members will maintain their fair share, as has been estimated in the table of percentage contributions which has been placed in the RECORD as table No. 1.

Mr. Chairman, it is with a fervent hope, in face of the situation described by the gentleman from Missouri who keeps repeating, as I have heard him for the last 10 years telling the Congress that America is now at the crossroads, that this will be cleared up. We are at the crossroads and have been at the crossroads for the past 10 years, if I am to believe the speeches made by the distinguished gentleman from Missouri in that period. I wonder when we are going to get off the crossroad and get on the avenue leading toward peace and prosperity and when we are going to get away from the fear that the Atlantic Charter was supposed to drive out of the hearts of men and women throughout the world.

When are we going to get on the broad avenue of commerce and allow these great plants that the gentleman has described to get into operation? When are we going to have production and more production in America to drive away the specter of inflation?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. KEEFE. Mr. Chairman, it seems to me it is high time that we get off the crossroads in America. I am interested in seeing the type of road we propose to travel in the future when we do get off the cross road.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from New Jersey.

Mr. HAND. I want to refer the gentleman again to the statement made by our friend from Missouri when he said he wanted to be nonpartisan, then blamed, significantly enough, a Republican Senator. If he will read Mr. Beard's recent book on the development of American foreign policy, he will find there a more reliable indication than speeches made at Jackson Day dinners.

Mr. KEEFE. We all love the gentleman from Missouri.

We know how nonpartisan his approach always is to every public question. We know how nonpartisan he was in his approach to this conference report which came in here just a couple of days ago. We know how the gentleman, when he spoke on that conference report, evidenced such a lack of pettiness and such a lack of partisanship when he tried to make it appear in his discussion of that conference report that the Republican Congress was to blame for the failure to send out the checks to the veterans of this Nation and those who are dependent upon the social-security funds of the Nation. Oh, no. My friend from Missouri is not entirely free from political implications, should I say, and I do not know as I blame him. That is his job. That is a part of the deal that is now going on. That is part of the conspiracy: Smear the Republicans whenever you can. Smear them at all hazards and at all costs. The end justifies the means. Always attain the desired end and do not care a tinker's dam about the means used to get there.

Mr. CANNON. Mr. Chairman, I must confess that I am surprised at this unprovoked and uninvited tirade from the gentleman from Wisconsin.

And still I suppose I ought not be surprised. It is in keeping with the proclivities of the gentleman from Wisconsin. I recall that the last time I had a colloquy with him here on the floor, he charged me with practicing piddlin' politics and then took refuge behind the previous question moved by the gentleman from New York so that I could not answer him.

Why, Mr. Chairman, of all the piddlin' politicians that ever piddled piddlin' politics on this floor, my esteemed friend, the gentleman from Wisconsin is the greatest piddler that ever piddled. And his flamboyant performance here this afternoon is no exception to the rule.

The gentleman characterizes my remarks as partisan and an attempt to to smear the spotless escutcheon of his party. Mr. Chairman, I pause now to give him an opportunity to point out any such word or sentence or inference in my

remarks. His fevered statement is both irrelevant and gratuitous.

The sum and substance of all I said—as all who are sitting here will corroborate—was that the Eightieth Congress has great opportunities and corresponding responsibilities; that this Congress, more than any other Congress, is confronted with questions, the solutions of which will affect the welfare of this country and the world for a hundred years to come; that in their consideration there should be no pettiness, partisanship, or provincialism. The observation was addressed to no person or party in particular but to such Members, on either side of the aisle, as might happen to be listening. There was no such implication as the gentleman has attempted to read into it. And that is borne out by the fact that reference was made to the pending bill as in keeping with the best traditions of American statesmanship.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Illinois.

Mr. PRICE of Illinois. The gentleman from Missouri is making a fine statement and an accurate statement. The other day the gentleman from Wisconsin made some reference to the deficiency bill now being discussed, and he inserted some remarks in the RECORD accusing the gentleman from Illinois now addressing the House of playing politics. I am sort of in agreement with the gentleman from Missouri that the gentleman from Wisconsin is very adept at that art himself. I brought to the attention of the gentleman from Wisconsin during his discourse that the item which caused the delay in the payment of the veterans' checks was originally left out in the deficiency bill by the committee, that is, the majority of the committee. The error was called to the attention of the committee by myself. The following day the committee reinstated the item in the bill. It was another one of the long delays in the consideration of the bill by the subcommittee.

Mr. CANNON. Mr. Chairman, as far as that is concerned, the fact remains that the money for the veterans was not provided in time to meet the deadline—the first instance in which the Government has defaulted in its payments to the veterans within my recollection.

There can be no misapprehension about the facts or about where the responsibility rests. It is only necessary to consult the dates printed in the hearings. The estimates and the justifications were received by the committee in January. General Bradley was called before the committee the second week in February. He was not called again until March 17. In response to the gentleman's unwarranted strictures, why was not General Marshall called, and when he was called why was the bill not reported?

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. CANNON. With pleasure.

Mr. KEEFE. The gentleman is a member of the House Committee on Deficiencies, is he not?

Mr. CANNON. That is rather a superfluous question. And my attendance on the first hearing of General Bradley was also rather superfluous. After an exhaustive examination of General Bradley by the majority members of the committee, the meeting was adjourned without my being given an opportunity to question the General. And he was not again called before the committee until March 17.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. CANNON. Mr. Chairman, I yield myself five additional minutes in order to give the gentleman from Wisconsin an opportunity to get the facts. I was ready and anxious to cooperate in seeing that the veterans were paid their money on time. There was no legitimate reason why they should not have been paid on time. Will the gentleman tell us why they were not paid on time?

Mr. KEEFE. They were not paid on time because the bill did not pass through the Congress.

Mr. CANNON. And why did not the bill pass through Congress?

Mr. KEEFE. It did not pass through the Congress, may I say to the gentleman, because, the gentleman well knows, General Bradley himself and not General Marshall was not able from week to week to give to the Congress a real estimate as to the needs. He undershot the mark on the regular appropriation bill $1,200,000,000. That is not his fault. The program grew so rapidly in this period of time that neither General Bradley nor the gentleman nor I nor anybody else could tell with assurance how much money was needed. Was the gentleman able to?

Mr. CANNON. That statement is admirable in every respect except that it does not conform to the facts.

Mr. KEEFE. That is what the gentleman thinks.

Mr. CANNON. It is only necessary to consult the printed hearings to be convinced that the statement does not conform to the facts.

Mr. KEEFE. The gentleman states what he thinks when he says it does not conform to the facts.

Mr. CANNON. I am giving the gentleman the facts.

Mr. KEEFE. I have listened to the gentleman's facts many times on this floor.

Mr. CANNON. The printed hearings, which are available to anybody, show that General Bradley was only called before the committee once between January and March 17. On March 17 further data were requested and were supplied, in full, 4 days later. It was evidently satisfactory, as he was not called again and was not asked to submit further evidence. There is the official record. Why was not the bill reported to the House in February or March? Why was it not reported in time for the veterans to get their money?

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I did not inject partisanship into this debate today; the gentleman from Wisconsin is the man who insists on talking partisanship. All right, if he wants to talk partisanship, let us talk partisanship. I shall not object. I shall be glad to humor him. If he insists on going a mile, I am ready to go with him twain.

Never before in the history of this Congress from the administration of Washington down to this day have we been so far behind with the annual appropriation bills. Failure to provide money for the veterans is not an isolated instance. Never before have we been so far behind with the legislative program of the Congress. Why, we have not even complied with the provisions of the Reorganization Act directing action on the legislative budget. Under the law, it should have been adopted long ago.

The Republican National Committee sent a letter back to the newspapers in my district abusing me because I did not vote for the $6,000,000,000 cut in the legislative budget. The truth about the matter is that, if I had not voted for it, it could not have been submitted to the House. When we met in committee and the question came up as to whether we would report out a four-and-a-half billion dollar cut or a $6,000,000,000 cut, eight of us voted to report out a six-billion cut, and five voted to report out a four-and-a-half billion cut. If I and my colleague had not joined the eight, the vote would have been six in favor of the six-billion cut and seven in favor of the four-and-one-half-billion cut, and nobody in either House could have voted on a cut of $6,000,000,000.

And yet the Republican National Committee writes to the newspapers of my district and asks why I do not vote for the six-billion cut. Why do not the Republicans of the House and Senate themselves vote for a $6,000,000,000 cut?

Incidentally, the Republican National Committee also wrote to the newspapers of my district and claimed that I defended Russian policies on the floor. I wired them to telegraph me collect and quote any such statement. They have never replied. There is no such statement.

And the other day the Republican National Committee wrote the newspapers of my district that I had not voted on the tax bill. They neglected to say—as everybody knew—that I was in bed with the flu. If you want "piddlin'" politics, the Republican National Committee will give it to you with a capital P.

Now, I ask the Republican National Committee and the gentleman from Wisconsin, who is so anxious to inject partisanship into this debate, why does not his party, in compliance with its campaign pledges to reduce the budget $6,000,000,000 and fire a million-and-a half Government employees, report out the resolution on the legislative budget and give us an opportunity to vote on it?

Why do you not bring out the legislative budget?

Mr. KEEFE. What is the gentleman's question: Why do we not bring out the legislative budget?

Mr. CANNON. Why does not your party bring out the legislative budget and comply with the law?

Mr. KEEFE. I wish they would, so far as I personally am concerned.

Mr. CANNON. You are a member of the party in control of the Congress, are you not?

Mr. KEEFE. I would vote to report it out. Why do you not report it out? You are member of that committee.

Mr. CANNON. I did vote to report it out.

Why does not your party report it out? I did not bring up this question of partisanship. Why does not your party report it out?

Mr. KEEFE. Oh, you never bring up anything of a partisan nature. You did not make a partisan speech yesterday in the RECORD, did you, when nobody was here to challenge you? You made one of the worst partisan speeches yesterday when only a handful of Members were on the floor so that nobody could challenge you.

Mr. CANNON. Your chairman was here. I resent the reflection on the chairman of the committee, the distinguished and able gentleman from New York.

But you are trying to evade the question. Why do you not bring out the legislative budget and vote to cut $6,000,000,000 from the budget? Why do you not comply with law and redeem your campaign pledges? I am ready to vote on it.

Mr. KEEFE. If you are asking me, I am ready to vote for it, and I have voted for it, so we are in agreement on something, are we not?

Mr. CANNON. Neither of us has voted on the conference report because your comittee will not report it out and give us a chance to vote. It is pigeonholed. While we are raising the question of responsibility for failure to pay the veterans on time, who is responsible for failure to cut the legislative budget? In other words, who is long on promises and short on performance?

Mr. TABER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the suggestion has been made that never before in the history of Congress have the appropriations been so far behind as this year—not since last year. The actual fact is that our committee has devoted more time to strenuous hearings than has ever been devoted by any committee in the same lengths of time. We have terrific trouble getting the truth out of these agencies. They would not even do their fifth-grade arithmetic before they came up to see us, and it has been necessary to spend hours and hours and days and days to find out the truth and to find out what the real requirements and needs of these agencies are. That is what we have been busy doing.

Now, they want to know why we have not brought out the legislative budget. It is because it has not been possible. There has not been any indication that the Senate would agree to the cut of $6,000,000,000 in the expenditures of the Government for the next fiscal year.

For my part, I do not believe in compromising on a question that is right.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MUNDT. With all due deference to the gentleman from Missouri, the former chairman of the Committee on Appropriations, I think what he meant to imply by his statement that never since the days of Washington has the Committee on Appropriations been so far behind was that never before has the Committee on Appropriations trailed so far behind the recommendations of the Bureau of the Budget by making such sharp cuts toward economy. I think that is what he meant.

Mr. TABER. I think it is true that we have made very substantial and satisfactory cuts and that the result of our operation has given heart to the American people at this time.

We intend to go down the line. We intend to persevere in these hearings, and we are going to make every cut that can be made consistent with the proper operation of the American Government.

There are tremendous burdens that are unnecessary. There is a great duplication of employees throughout the Government. These must be weeded out. There are activities recommended that are not justified. They must be weeded out. The whole situation must be gone over so that the American people and the American taxpayers may have a chance to survive.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. REES. Has it not been a great deal easier to bring out bills when you go along with the agencies and give them what they want, rather than to try to cut them down, as the committee has tried to do this year?

Mr. TABER. That is correct.

Mr. REES. And is it not a fact that you have not had the cooperation to which you are entitled from these committees in the attempts to cut down the expenses?

Mr. TABER. That is true.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. KEEFE. The gentleman from Missouri [Mr. CANNON] referred to the gentleman from Wisconsin as a piddler—the greatest piddler he had ever known. I do not know just what he means by "piddler." It is apparently a term of abuse, which the gentleman from Missouri is very capable of passing out. But may I say that in the years I have been a member of the Appropriations Committee, under the chairmanship of the distinguished gentleman from Missouri [Mr. CANNON] I had great training in the art of piddling. The greatest teacher of them all in the art of piddling, as every Member of this Congress knows is the distinguished gentleman from Missouri [Mr. CANNON].

Mr. TABER. Mr. Chairman, I yield back the remainder of my time.

Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES. Mr. Chairman, with all due deference to the gentleman from Missouri and those who have spoken, I thought it might be well to take just 2 or 3 minutes to talk about this bill.

This is a deficiency appropriation bill that comes to the floor because the departments appear to have failed to estimate the amount of money they were going to need. I am not criticizing the departments too severely. I realize that in some cases unforeseen conditions come about whereby additional money is required to be spent. But from my experience in this House, many times agencies have come to the committee asking for deficiencies because they were unable to figure the amount of funds they thought they should have.

However, I want particularly to call attention to section 400 which is in this bill. I am not objecting to that particular section, except that I do want to call the attention of the Appropriation Committee to the fact that in times past, and again today, we find legislation on an appropriation bill. All points of order have been waived. Even if they were not waived I think this particular feature ought to have been in the law before this time. So while I criticize the manner in which it is presented, I do commend the membership of that committee for calling attention to the situation involved here.

I wish to speak briefly about this question of up-grading that is going on in the departments of our Government. Very few Members have given that any particular attention. It is extremely important, because after all it not only affects the pay of the personnel in Government, but it involves the job where they are employed. So I am going to follow through just a little farther than the chairman of the Committee on Appropriations, and indicate to you some figures on that particular question.

I want to call your attention to a table I have before me. These figures were secured from the Civil Service Commission.

The total number of people employed in the classified Civil Service in grade 1 in 1942 was 13 percent. By 1946 the jobs had been upgraded until only 1 percent were in grade 1. If you want to know where your money is being spent, you should follow these figures.

In 1942, 37 percent of those employed in the classified service were in grade 2, but in 1946, 22 percent of those in classified service were in grade 2.

In 1942, in grade 3, there were 19 percent in classified service, but 4 years later we find 27 percent in grade 3.

In grade 4, in 1942, 9 percent were in classified service. In 1946 it was 14.8 percent.

I am talking about grades 3 and 4 because that is where more money is paid. The increase in these grades is about 50 percent. That is the way the thing has been operating.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. REES. Now, let us look into the professional service. That is where they pay considerably more money. Whereas in 1942 there were 19.8 percent in grade 1, in 1946 we find only 11.9 percent.

When we move to the second professional grade, we find they had 25.8 percent in 1942 and about 22.7 percent in 1946.

Then the situation changes, and when you get up to the fifth grade, where there were 14 percent in 1942, it jumps to 18.7 percent in 1946.

Then in the next grade, where there is still more money, you find that where they had 8.8 percent in 1942, they had 12.5 percent in 1946.

As a matter of fact, in the top grades, where they had only 1.4 percent in 1942, you find twice that number in 1946. So when you talk about upgrading, I think it might be well to observe how the thing is being handled. I want it understood this is different from the questions of promotions to which employees in Federal service are entitled.

I am in favor of every Federal employee getting paid for his services, getting paid what he earns, but I do think this Congress is entitled to know something about the manner in which the upgrading has been going on in the civil service during the past few years. After we get back into the House I shall ask unanimous consent to include the entire table I have before me that contains figures that were procured from the Civil Service Commission.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from California.

Mr. JOHNSON of California. Would the gentleman also include in his extension just who does this and how it is done?

Mr. REES. I shall be glad to. It is done, as I understand it, by the departments of Government and the Civil Service Commission.

Mr. JOHNSON of California. What particular people are responsible for all this?

Mr. REES. It is my understanding that upgrading is done by the heads of the departments by and with the consent of the Civil Service Commission. My attention has been called to situations where one department will do a great amount of upgrading and another will stay within bounds and try to keep within bounds.

Here is a copy of the table I mentioned a few moments ago:

Employment in the executive branch of the Federal Government subject to the Classification Act of 1923, as amended, by service and grade, 1942, 1944, 1946

1. CLERICAL, ADMINISTRATIVE, AND FISCAL SERVICE

	October 1942		Dec. 31, 1944		July 1, 1946	
	Number of employees	Percent	Number of employees	Percent	Number of employees	Percent
Total	762,903	100.0	911,454	100.0	719,810	100.0
Grade 1	99,522	13.0	28,362	3.1	7,243	1.0
Grade 2	285,029	37.4	244,754	26.9	158,720	22.1
Grade 3	147,296	19.3	235,815	25.9	194,080	27.0
Grade 4	69,706	9.1	129,904	14.3	106,854	14.8
Grade 5	52,841	6.9	73,690	8.1	64,361	8.9
Grade 6	20,478	2.7	42,092	4.6	29,752	4.1
Grade 7	32,470	4.3	52,827	5.8	61,951	8.6
Grade 8	6,458	.8	20,910	2.3	14,949	2.1
Grade 9	20,112	2.6	34,789	3.8	36,276	5.0
Grade 10	4,506	.6	8,375	.9	6,339	.9
Grade 11	10,919	1.4	19,232	2.1	17,901	2.5
Grade 12	8,012	1.1	11,978	1.3	12,454	1.7
Grade 13	3,519	.5	5,544	.6	5,490	.8
Grade 14	1,349	.2	2,278	.2	2,495	.4
Grade 15	686	.1	904	.1	945	.1

Employment in the executive branch of the Federal Government subject to the Classification Act of 1923, as amended, by service and grade, 1942, 1944, 1946—Continued

2. PROFESSIONAL SERVICE

	October 1942		Dec. 31, 1944		July 1, 1946	
	Number of employees	Percent	Number of employees	Percent	Number of employees	Percent
Total	94,928	100.0	80,653	100.0	97,983	100.0
Grade 1	18,805	19.8	7,954	9.9	11,679	11.9
Grade 2	24,509	25.8	19,613	24.3	22,287	22.7
Grade 3	23,671	24.9	21,520	26.7	25,083	25.6
Grade 4	14,066	14.8	15,679	19.5	18,311	18.7
Grade 5	8,327	8.8	9,363	11.6	12,209	12.5
Grade 6	3,787	4.0	4,377	5.4	5,585	5.7
Grade 7	1,286	1.4	1,565	1.9	2,052	2.1
Grade 8	477	.5	582	.7	777	.8

3. SUBPROFESSIONAL SERVICE

Total	131,238	100.0	67,210	100.0	75,860	100.0
Grade 1	8,860	6.7	1,134	1.7	489	.6
Grade 2	13,607	10.4	7,986	11.9	14,919	19.6
Grade 3	13,898	10.6	10,071	15.0	13,515	17.8
Grade 4	21,777	16.6	9,656	14.4	9,782	12.8
Grade 5	23,619	18.0	17,338	25.8	15,076	19.8
Grade 6	21,786	16.6	9,064	13.5	11,333	14.9
Grade 7	12,387	9.4	6,696	9.9	6,701	8.8
Grade 8	15,304	11.7	5,265	7.8	4,045	5.7

4. CRAFT, PROTECTIVE, CUSTODIAL SERVICE

Total	152,684	100.0	161,865	100.0	139,885	100.0
Grade 1	2,390	1.6	281	.2	572	.4
Grade 2	40,064	26.2	31,380	19.4	27,794	19.9
Grade 3	38,223	25.1	30,882	19.1	27,275	19.5
Grade 4	20,041	13.1	16,917	10.5	20,613	14.7
Grade 5	21,404	14.0	14,761	9.1	11,567	8.3
Grade 6	15,795	10.3	45,173	27.9	32,925	23.5
Grade 7	8,868	5.8	15,721	9.7	13,153	9.4
Grade 8	3,652	2.4	4,058	2.5	3,819	2.7
Grade 9	1,572	1.0	1,667	1.0	1,352	1.0
Grade 10	675	.5	1,025	.6	815	.6

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Rhode Island [Mr. FORAND].

RHODE ISLAND INDEPENDENCE DAY

Mr. FORAND. Mr. Chairman, I have asked for this time to invite the attention of my colleagues to an important event in the history of my home State of Rhode Island. On next Sunday, May 4, Rhode Island will observe the one hundred seventy-first anniversity of its Declaration of Independence, having severed all connections with Great Britain exactly 2 months before similar action was taken by the Continental Congress.

Although small in area, Rhode Island has led the way on many occasions. She has the honor not only of having shown the courage to sever all ties with the mother country, while the remainder of the colonies was considering such action, but she also led the way in the establishment of religious liberty and tolerance.

Rhode Island is a glowing example of how people of different races, colors, and creeds can get along together, and I might cite as one example a city in my district, Central Falls, the area of which is only 1.27 square miles and whose population of 26,000, includes, according to the 1940 Federal census, 28 different nationalities.

In these troublesome days, when every effort toward the establishment of a just and enduring peace throughout the world seems almost fruitless, either because of greed, selfishness, or unwillingness to understand, it is most appropriate to go back 171 years in our Nation's history to May 4, 1776, when the then residents of the State of Rhode Island and Providence Plantations courageously and resolutely declared their independence of Great Britain by a solemn act, abjuring all allegiance to the British Crown.

Although this act of itself was of momentous importance insofar as it served as a model or pattern in the drafting of our National Declaration of Independence, which was adopted by the Continental Congress 2 months later, the thought which should predominate today is that this great achievement was obtained as the result of a spirit of resolute and almost defiant independence and determination of our State's founder, Roger Williams, who sought to establish a colony upon the foundation of full liberty in civil and religious affairs, a doctrine then thoroughly foreign to all the provisions contained in charters of the other American colonies.

Roger Williams was the first man to found a State on that principle of separation of state and church, a State whose fundamental compact was a promise of allegiance and obedience in civil things only. This ideal was the basis of the original compact, and was incorporated into the charter granted by King Charles of England in 1663, that "no person within said colony at any time hereafter shall be in anywise molested, punished, disquieted, or called in question, for any difference of opinion in matters of religion, who does not actively disturb the civil peace of our said colony."

Roger Williams' principle was not the fruit of logic; it was with him a primary conviction. It was the fundamental principle of puritanism full, understood and heartily followed. Because of this conviction, which brought upon his head the wrath of the then Governor of Massachusetts and the threat of deportation to England, he fled to the nearby shores of Narragansett Bay, where he founded Providence, and through the application of his doctrine surrounded himself with a group of God-fearing, honest, and determined pioneers who in later years were to defy alone the might of England, to establish its own Navy, which, under Commander Whipple, fired the first cannon upon the seas in defense of American liberty against the King's Navy in 1775, and subsequently gave to the Continental Navy of this country its first commander in chief, Esek Hopkins. This was the origin of the United States Navy. In addition, Rhode Island furnished three captains and seven lieutenants, they being more than three-quarters of the commissioned officers for the four large ships, and probably the like proportion for the four smaller craft of the Continental Navy.

Williams' most pronounced characteristic was his love for his fellowmen, whether English or Indian, and he had implicit faith in democratic government—the rule of the people—and all

through his life his appeal for the settlement of every dispute was to reason and not to force. His profound thinking had a deep effect on his contemporaries, as well as on the generations to follow him, as evidenced by the brilliant and heroic accomplishments of patriots such as John Clark, whose hand traced the shining words cut deep in the marble front of the Rhode Island statehouse, "To hold forth a lively experiment that a most flourishing civil state may stand and best be maintained with full liberty in religious concernments"; as Samuel Gorton, sturdy champion of soul liberty; as Canonchet, last sachem of the Narragansett Indians, who fought to the end for the life and freedom of his people; as Mary Dyer, Quakeress and martyr for conscience sake, who was hanged by the authorities of Massachusetts in 1660. When Mary Dyer was offered the sparing of her life if she would but depart and cease her protest against injustice, she replied, "In obedience to the will of the Lord I came, and in His will I abide faithful unto death."

As Jonathan Arnold, author of Rhode Island's Declaration of Independence; Gen. Nathaniel Greene, warrior, brave, wise, patient, resourceful, hero of Trenton, Brandywine, Germantown, Guilford, and Eutaw Springs; a gallant, knightly man, second to but one among the heroes of the Revolution. He was loved and trusted by Washington; Oliver Hazard Perry, brilliant graduate of the Rhode Island School of Seamanship, hero of Lake Erie, author of that dispatch which has been the motto and inspiration of America's gallant seamen to the present hour. "We have met the enemy and they are ours."

Still others, Gilbert Stuart, Quaker, son of Narragansett, citizen of the world, associate and friend of kings, but best of all, he who caught and fixed in unfading color the noble features of the great Virginian, the Father of his Country, George Washington; Ambrose E. Burnside, who in the great struggle for the Union, on weary march, on stricken field, in prison pen, offered freely all that men have to give for freedom and the unity of this Nation which their Rhode Island fathers did so much to create and glorify.

Is it not appropriate, therefore, that we should look at this time to Roger Williams and all the other great leaders of our State, the circumstances and conditions surrounding whom are not foreign to the problems confronting the entire world today? Were the leaders of the nations today to adopt and put into practice the principles of tolerance, honesty, trust, and equality for all, in short, the application of the Golden Rule, as enunciated by our forefathers, there would be no problems to solve and the difficulties now existing among nations to agree on the methods of establishing peace would disappear into thin air. Unfortunately, this does not seem to be the case and for that reason we must redouble our determination that there must be no compromise on principles. If we are to attain a just and lasting peace and not only empty settlements devoid of equity, such as was the case following the First World War, we must stand our ground.

We should be fortified, however, by the valiant stand taken by our representatives since the opening of peace deliberations. Imbued as they are in the great doctrine handed down to posterity by Roger Williams and his noble followers, they have refused categorically to compromise on principles, despite the fact that they fully realized that their determination would probably cause the conferences to adjourn without definite accomplishments. Yet, if nothing else was achieved, the world has been placed on notice as to just where we stand and we may rest assured that further negotiations will be undertaken on the assumption that, like Roger Williams, we will tolerate no shackles upon the human spirit and no limit to the freedom of human rights.

We are most fortunate, yes, we should be most thankful that our country from its very inception was blessed with men such as Rhode Island's Roger Williams and we should strive to emulate their devotion to God, country, and to every living person the world over not only in this great crisis but also in all our future decisions that this country may continue to be the great Nation which our forefathers meant it to be from its birth. Finally, let us pray God to continue to grant His guidance and strength of character and soul not only to our national leaders but also to all who may be called upon to decide on the destiny of mankind.

Mr. CANNON. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I wish to commend the gentleman from Kansas [Mr. REES] in his discussion of the abuses that have taken place in some of the departments with regard to the upgrading of personnel. I can well understand that in many cases there have been good reasons for some of this upgrading but I am confident that there have been abuses and that the provision which has been inserted in the bill is in the public interest.

I do not know that I ever rose on the floor to defend the departments of Government, but I do think in fairness it should be said that the departments are not wholly responsible for most of these deficiencies which are in this bill. In March and in May of last year, as well as upon other dates, we passed legislation increasing benefits to veterans and increasing the pay of Federal employees. By reason of those acts which were passed by the Congress, it was necessary for the departments to comply with the law and pay these additional sums and they had to come up here for money to pay the obligations which we authorized. It was necessary therefore to go through this procedure.

Mr. Chairman, it should be said in commendation of some of the departments that they were very successful in absorbing many of these increased costs which we, the Congress, imposed upon them. I direct to the attention of the gentleman from Kansas, page 13 of the bill, title II, which reads as follows:

Increased pay costs: For additional amounts for appropriations for the fiscal year 1947 to meet increased pay costs authorized by—

And then there are cited the various acts of Congress passed last year and the additional sums of money required. So it was necessary for the committee to do a lot of work and the departments to do a lot of work in order to comply with these acts of Congress. That is the major reasons why it is necessary for so many of these things to be considered and this situation is not adequate cause for criticism on either side of the aisle, as I see it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, I want to bring to the attention of the committee and the House the situation in veterans hospitals. I have made inquiry and I am told there is nothing in this bill with reference to hospitalization.

The Committee on Veterans' Affairs has had General Hawley, the chief medical officer, before the committee twice lately, last week and again this week. He advised us that he had 5,714 beds which he could not now operate because he did not have sufficient personnel to do it. The beds are in some 17 States and the number not in operation runs all the way from 15 up to as high as 700 per hospital.

This information was rather startling to me. I doubt that the membership as a whole has this information. It was not known by the Veterans' Committee until a few days ago.

General Hawley told us that he has these 5,714 beds now that he cannot operate because he does not have the personnel, the nurses, doctors, the attendants, to operate them. They are in hospitals scattered all over the Nation.

Mr. Chairman, this is something that must have attention. General Hawley also advises us that under the ceiling of employment according to which he has to operate now after July 1 and in the ensuing fiscal year there will not only be the 5,714 beds empty, of no use to anybody because he cannot operate them, but that this number will be incre sed to 9,700 approximately. I bring this up at this time to ask the Appropriations Committee to give consideration to this hospital situation. I earnestly appeal to that great committee to ascertain from General Hawley the amount of money he needs now to secure the necessary personnel to operate all of these 5,714 beds for the remainder of the current fiscal year and also to ascertain what sums will be necessary, in addition to present budget estimates for the coming fiscal year, to operate not only the 5,714 not now operated but also the additional beds which he says he will have to close under present budget estimates. As matters now stand, his testimony is to the effect that he will have approximately 9,700 beds lying idle after July 1 unless Congress provides more funds to operate them. That places the responsibility clearly on Congress to do something about it, and Congress must look to the Appropriations Committee to bring the proper bills to the floor to meet the situation. That is why I am urging

it now, and I appeal for early action by the Appropriations Committee.

I have asked General Hawley to give our committee the exact figures of the number of beds that will not be operated in the next fiscal year and also the amount of money which in his opinion will be required to operate those beds. The information I have just given you was elicited at our hearings and please do not blame General Hawley. He answered questions. The information he gave us was startling, and that is why I am revealing it to you. But he tells us frankly that the trouble is twofold. He does not have the help and he does not have the help because he has not got the money. He thinks he could get the help if he had the money.

Now, gentlemen, I believe in economy, but I do not want this Congress to fail to provide the Veterans' Administration with enough money to staff the beds in our hospitals for veterans. We are trying even to build more hospitals. We want to do that. We have about 103,000 beds now and we are trying to build more hospitals and get more beds for the veterans, and yet we do not have the money to staff the beds that we now have. That is a serious situation.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Louisiana. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Is the gentleman aware of the fact that the Navy was requested by the Veterans' Administration to make some beds available to it last year sometime, approximately 10,000, and that the deficiency bill on which we adopted the conference report a couple of days ago carried funds to reimburse the Navy for 7,000 unused beds for which the Navy had provided the attendants to take care of the veteran patients, only to find that the Veterans' Administration then said they did not need them?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. CANNON. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. ALLEN of Louisiana. I will say to the gentleman that it is entirely possible that these beds do not meet the requirements of the Veterans' Administration in peacetime. I doubt these hospitals meet the standards for the Federal Board of Hospitalization; in other words, they do not meet the standards for care for veterans, and what the Veterans' Committee is trying to do—and let me say right here parenthetically that there is no blame attached to the Veterans' Administration. General Hawley, in my opinion, is one of the finest medical men in the United States. In my opinion, he is one of the greatest men in the entire Federal service, and I do not blame him for one thing that has happened, because he had his hands tied by the ceilings on employment which have been placed upon him. As I understand it, there all the trouble lies. Of course, the ceilings were placed because of the limitation of funds. What we are trying to do, may I say to the gentleman from South Dakota, is to establish a solid veterans' hospitalization program here with hospitals that will meet the standards, hospitals that will not be firetraps for our veterans. We are trying to provide them with the best hospitals that we can. And when these hospitals are provided, we want them staffed with sufficient doctors, nurses, attendants, and other necessary personnel to operate all the beds in every hospital. There is no point in building hospitals unless we make provision for the full operation of all beds.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Louisiana. I yield to the gentleman from New York.

Mr. TABER. I just want to say to the gentleman that the expenditures for salaries and expenses for this fiscal year figured up on the basis of $887,000,000; the appropriation was $894,000,000, or a $7,000,000 margin, and General Hawley told us that his difficulty in filling up those beds and keeping them operated was that he could not get the help to do it. He said that at the time he was up before us. Now, we have had no budget estimate, no ceilings have been placed upon it by the budget, and we have had nothing presented to us by the Veterans' Administration. There is not a single request there of any kind from anybody that has not been acted on with reference to the fiscal year 1947.

Mr. ALLEN of Louisiana. It is probably true that General Hawley has not gone to the Appropriations Committee, of which the able gentleman is chairman, but I think I can answer that by saying this, that General Hawley has had a ceiling placed upon his employment, and he has not asked for more for that reason. If the Appropriations Committee will call General Hawley before it, I am sure he will give it the same information that he did our committee and I urge that that be done.

He has had a ceiling. I think it well here to quote from the record of the hearings before the Veterans' Affairs Committee just a few days ago, April 25. General Hawley was testifying and had been asked by me about this bed situation. I quote:

> Mr. ALLEN. You have indicated, you have not said exactly, but you have indicated that you are simply not getting enough money, that is what it amounts to, to do that.
>
> Dr. HAWLEY. We won't under the ceilings.
>
> Mr. ALLEN. You are operating under a ceiling, and you are not going to be able to operate the beds you have got until Congress gives you more money.
>
> Dr. HAWLEY. I think that states it rather exactly.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Louisiana. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. May I ask the gentleman whether it was not the budget that placed the ceiling?

Mr. ALLEN of Louisiana. I want to be perfectly fair. I think there is a lot in what the gentlewoman indicates.

Mrs. BOLTON. I think there is everything in it.

Mr. ALLEN of Louisiana. I am not trying to lay any particular blame anywhere, but I say this: If the blame lies upon the Budget Bureau, if the blame lies upon this Congress, upon either side of the aisle in this Congress, then let the blame fall where it belongs. We have got to see about these veterans. When General Hawley says he must close nearly 10,000 beds unless he gets more money to operate them, it is time to do something about it. That is why I hope very much that the Appropriations Committee of the House will lose no time in getting from General Hawley the information it desires and bringing to this floor legislation to prevent closing beds.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Louisiana. I yield to the gentleman from Mississippi, who has always done so much for the veterans.

Mr. RANKIN. Congress is not bound by what the Budget Bureau says, at any rate. This is a legislative body. We are not a subbureaucracy.

I was very much surprised at one statement made by General Hawley that I think the House ought to know. It was estimated a few years ago that it cost $3 a day to hospitalize a veteran in a veterans' hospital. General Hawley said yesterday, if I heard him correctly, and the gentleman from Louisiana was listening and he can correct me, that it now costs $8 a day to hospitalize a veteran in one of our veterans' hospitals.

Mr. ALLEN of Louisiana. Eight dollars and thirty-four cents, I think.

Mr. RANKIN. A little more than $8, and that it costs $14 a day to hospitalize a veteran in one of these hospitals that have been taken over from the Army and Navy. Is that correct?

Mr. ALLEN of Louisiana. That was substantially his testimony.

Mr. RANKIN. So you may say that the expense of hospitalizing veterans has gone up by leaps and bounds. General Hawley was complaining, and justly complaining, that he was unable, owing to this ceiling to which the gentleman from Louisiana refers, to secure the medical and nursing staff to supply this number of beds—I believe, 5,700 empty beds.

Mr. ALLEN of Louisiana. I thank the gentleman from Mississippi for his contribution.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. CANNON. Mr. Chairman, I yield two additional minutes to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. This Congress represents the people. We are elected by the people. I never have subscribed to the philosophy that the Congress of the United States—the direct representatives of the people—should be bound by what a set of men down there who constitute the Budget Bureau tell us we should do or should not do. I have always taken that position when my party was in power, and I still take that position.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Louisiana. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I was very much interested in what the gentleman from South Dakota said about these unused beds that the Navy Department offered General Hawley. What

I am going to say may be rank heresy here, but I only wish I could have the high admiration for General Hawley that the gentleman from Louisiana and the gentleman from Mississippi have. I have gone over to him repeatedly trying to get him to use a naval hospital that is lying idle in Oklahoma, when we have 700 veterans down there. He tells me that there are no veterans awating hospitalization, but I know there are 700 of them. I want him to get his own house in order. I told him, as a member of the Committee on Veterans' Affairs, that if it is a question of money we will get it for him, but let him get his facts straight and come up here and present them in such a way that we can do something for the veterans of this country.

Mr. ALLEN of Louisiana. There are two sides to that question. I have great admiration for General Hawley. I think that he is one of the very best medical men in the United States. I have confidence in him as a man and as a doctor. I have worked with him closely since he assumed the great responsibility in the Veterans' Administration of looking after the great hospital program, and I propose to back him up with my vote, if I have an opportunity, to provide him funds to operate the hospital beds fully.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield further?

Mr. ALLEN of Louisiana. I yield.

Mrs. BOLTON. I want to go back to the budget a little bit and ask whether it is not very difficult for a department or a division of a department to approach congressional committees after the Budget has cut them. There is a wall between the department and the Congress at that point that is most difficult to leap over. I have been up against that same wall when the Budget was cut. It is very difficult to find why the Budget cut it.

Mr. ALLEN of Louisiana. What the gentlewoman has been referring to has been sort of a muzzle that has been placed upon them. I do not like that. She does not like it, and I do not think anyone likes it.

Mrs. BOLTON. May I say how grateful I am to the gentleman for expressing himself in that manner.

Mr. RANKIN. The Budget just submits estimates.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, the only ceiling that the Congress has placed directly upon the Veterans' Administration that I know anything about was the ceiling that we placed upon their publicity men in the deficiency appropriation bill that was passed here a few weeks ago.

Members of the House will recall that testimony before the committee showed that prior to July 1, 1945, there were eight men employed as public-relations men with the Veterans' Administration. As of January 30 of this year, we found that the Veterans' Administration had 281 public-relations men. The Deficiency Committee suggested to the Veterans' Administration a ceiling of 100 public-relations men.

That is the only instance that I know anything about where the Congress or the Committee on Appropriations has put any personnel limitation upon the Veterans' Administration.

I would like to suggest to the Veterans' Administration and General Hawley that if they would make a little better application of their personnel ceiling, instead of putting on 281 public-relations men they should put on hospital corpsmen or attendants, and they might have some of the hospital services that the gentleman from Louisiana says they need.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mrs. BOLTON. Were the 281 public-relations men entirely for the hospital organization?

Mr. CASE of South Dakota. They were for the Veterans' Administration.

Mrs. BOLTON. Yes, but that is General Bradley. That is not for the hospitals. That is why I am inquiring to make that clear.

Mr. CASE of South Dakota. The lady is making it clear that if General Hawley wants to do something about the ceiling problem, he should take up with the Veterans' Administration the application of the ceiling which the Bureau of the Budget placed on them.

Mrs. BOLTON. I thank the gentleman.

Mr. CASE of South Dakota. The ceiling that the Veterans' Administration has is given them by the Budget Bureau and not by the Congress.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. ALLEN of Louisiana. I am talking about the men in the hospitals. I am not talking about the publicity agents.

Mr. CASE of South Dakota. No, but I am saying that if the Veterans' Administration is allowed only so many employees by the Budget Bureau, they had better allocate them to General Hawley and to the hospital facilities of the Veterans' Administration rather than to the publicity branch. I must decline to yield time further. If the gentleman wants to go further into this, he might find out why it is that in some of the hospitals where they had only 16 janitors a while ago they now have 64. He might find out why the Veterans' Administration increased the allocation for janitors out of this personnel ceiling instead of making the allocation for hospital corpsmen. There may be a good reason; I do not know.

He might also go back to the Bureau of the Budget and ask the Bureau of the Budget why they do not increase the Veterans' Administration ceiling instead of giving more to some of the other agencies of the Government. But that is not a matter that has been fixed by the Congress. I repeat, the only instance in which the Congress has acted so far as a ceiling for the Veterans' Administration is concerned is to put a ceiling upon the public relations personnel.

Going back to this matter of Navy beds, so far as I am concerned I want to see every veteran who needs hospitalization get it. But, if there is a shortage of veterans' hospital personnel and General Hawley finds himself unable either by reason of the Budget Bureau's ceiling or by reason of a shortage of competent men to man the hospitals I do not see why he should have refused to use the 7,000 beds which the Navy got ready for him and had the men to service them to the extent the Navy had to come before the Congress and ask for a deficiency appropriation to pay the men who manned these 7,000 beds. There is no dispute about that. The House approved the conference report providing the funds day before yesterday. In that bill there was money for the Navy to take care of the salaries for the nurses, doctors, and other attendants in these hospitals and these empty beds for which the Veterans' Administration had not reimbursed them. They got them ready as a part of 10,000 requested for the Veterans' Administration. The Veterans' Administration did not use them. Consequently, the Navy found them still a charge against their pay roll. So, the admirals had to come in and ask for extra money to take care of them. That is the situation and that is the record.

Now, while we are straightening out a few records, I want to go back to the discussion which took place a little earlier, with reference to the record that is being made by the Appropriations Committee.

There are four things which I think should be set forth definitely in the RECORD as a part of the discussion about the status of appropriation bills. Four things that should be known by Members of the House.

The first thing is that we had a reorganization of the Congress, which was not the responsibility of this particular Congress. Under the Reorganization Act which was passed by a preceding Congress, the Congress had to reorganize its committee. This should also be said for the record, that the new majority of this House, the Republicans, completed their committee assignments under the Reorganization Act 4 days before the minority members completed their committee assignments. The committees on the Republican side were organized, and their assignments were completed 4 days earlier than those on the minority side.

The second thing is that when you have a new Congress, Appropriations Committee hearings are necessarily held over until the new Congress is organized. That, of course, would be particularly true where you have a change in administration. This coming winter, I assume that some of the appropriation subcommittees will conduct hearings in December. That has been true, customarily. Ordinarily, when the Congress assembles in the January of a midyear of a congressional term, we have two or three subcommittee bills that are ready to go. That is because the members of those subcommittees come here in December and conduct hearings so that their bills are ready. That is possible in a midyear of a congressional term because you know who the members of a committee are going to be. But when you go from one Congress to another, the members of the committee are not fixed. Members

of a committee in one Congress have no jurisdiction to conduct hearings on a bill and report it to a new Congress. You might have some informal hearings but you could not be certain who would be on the committee in a new Congress.

With a change in the control of the Congress, obviously the chairmen of the subcommittees in the Seventy-ninth Congress would not be the chairmen of the subcommittees in a Republican Congress. So, consequently, no hearings could be held in December or until the new committees were organized.

Then, when we came into session with the Eightieth Congress, we were confronted with the results of the Reorganization Act. The first thing it required was that the Appropriation Committee, not later than the 15th of February, should report a resolution to the Congress proposing a legislative budget ceiling. Upon completion of the committee assignments, the members addressed themselves to the preparation of that report. Personally, I believed, and I said at the time, that I thought we should have considered that responsibility ended when that resolution was reported to the Congress. The act did not require the Congress to act upon it. The act did not require either body of the Congress to consider it. It merely required the Appropriations Committee to report a resolution to the Congress with recommendations, which we did. But, in any event, as a result of that situation, time was taken until the 15th of February, approximately, before the subcommittees of the Appropriations Committee could address themselves to the task of conducting hearings on the several bills. And this delay in hearings due to setting up under the Reorganization Act is the second thing to be kept in mind.

Then a third thing interfered with the work of the Appropriations Committee this year. I am sure, in all fairness, the gentleman from Missouri [Mr. CANNON] would be one of the first to admit this.

That was the necessary change in the clerical staff of the committees. During the Seventy-ninth Congress, the Appropriations Committee suffered the loss of a man who had been an employee of the committee and its trusted chief clerk for a great many years. That is Marc Shield, a man whose contribution to the work of the Appropriations Committee through a number of years can never be measured or adequately rewarded, in my judgment. He was succeeded by a very able man, John Pugh, also of long experience. It was assumed, of course, that when this Congress convened and the committee organized, we would have the services of John Pugh and the staff he had developed during the latter part of the Seventy-ninth Congress. But shortly after Congress assembled, due to a personal situation which was beyond the control of anyone, Mr. Pugh found it necessary to resign.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. CASE of South Dakota. That resulted in calling in Mr. Harvey, who is an experienced man, who is a very able man, and who is doing a splendid job, but it meant a reorganization of the clerical staff of the committee all along the line. We had also lost the services of Jim Scanlon, the chief editor. Necessarily, these changes, not one of which was sought by the committee or its chairman, resulted in interruptions of the work of the various subcommittees, and reorganizations within the clerical staff of the Appropriations Committee. Each shift required some time for readjustment.

The fourth thing that should be taken into consideration in considering the reporting of bills by the Appropriations Committee is that we are now trying to sift these bills and get back to a peacetime basis. I think this morning was the sixth day that the Appropriations Subcommittee for the War Department has spent on the job of marking up the appropriation bill for the War Department since we concluded several weeks of hearings. The budget estimate for the War Department bill this year is about $5,700,000,000. I can remember in the old days when the Congress had such a majority on one side that it generally passed appropriation bills about the way they came up, that we marked up much larger appropriation bills for the War Department in a single forenoon's session. Now we are getting away from that and considering projects, item by item. That takes time.

When the record is written at the end of the session it will be found that we have gone into the budget estimates very carefully; yet you will find that the appropriation bills will have cleared this Congress as early as they have in Congresses of recent memory in spite of the fact that we were able to have no hearings in December and that we had the Reorganization Act to contend with the first 6 weeks of the session.

When the whole story is written, I believe the people of the country will be pleased with the record of the Appropriations Committee of the Eightieth Congress.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, the gentleman from New York [Mr. KEARNEY], who is chairman of the subcommittee that was hearing General Hawley on yesterday, is not present. I do not understand that it was the Congress that placed the ceiling of which General Hawley complained.

Mr. TABER. No; it would be the budget which placed the ceiling upon employees. The budget, however, has not fixed any ceilings on the Veterans' Administration. They have on other agencies but not on the Veterans' Administration.

Mr. RANKIN. I did not understand that he was complaining of any ceiling placed by Congress, because I do not understand that we placed any ceiling on the Veterans' Administration.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. ALLEN of Louisiana. I do not think I said a ceiling had been placed by Congress, but General Hawley did tell us that he was operating under a ceiling. I think the ceiling probably was fixed by the Budget Bureau if it was fixed by anybody.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. CASE of South Dakota. I have in my hand a copy of the Federal Employees Pay Act of 1946, which carried the so-called Dirksen amendment which established a personnel ceiling for the various branches of the Government. It will be recalled, however, that we did not place a ceiling on the Veterans' Administration. I read from subparagraph 3 of section 14 of this act. It reads as follows:

> The provisions of the said paragraph shall not apply with respect to officers and employees of the field service of the Post Office Department or the officers and employees of the Veterans' Administration.

Mr. RANKIN. It has been my position ever since I have been on the Veterans' Committee—and I am the only Member of Congress who was on it when it was first organized—it has been my contention that our first duty is to the disabled veteran. I take no stock in this idea that any Member of Congress is against the veteran because every Member of Congress I have ever known had sympathy for the servicemen of the country. It is a question of doing what is best for them and at the same time doing justice to the taxpayers of the Nation. My understanding is that General Hawley was complaining that under this alleged ceiling he was not able to employ the physicians and nurses necessary to man these extra 5,700 empty beds that ought to be in operation at the present time. As far as I am individually concerned if General Hawley will let us know how much is necessary for these doctors I shall be glad to vote for it. The fact of the matter is I would rather do that than to establish a TVA along the Danube or a flood-control project on the Ganges or an irrigation program along the Orinoco. I think it is about time we got back home and looked after our own people. And of all the people we should look after in this country it is the disabled veterans.

I think that is the way every other Member of Congress feels. I do not say that in criticism of anyone; I say that from what I know of the situation. As I see it, the Veterans' Administration, probably under direction of the Budget, has fixed a ceiling that Congress is not bound to respect. When General Hawley shows us the amount of money that is necessary to secure the physicians and nurses to carry on and to man those 5,700 extra beds, I am sure the Congress will be glad to see that he gets the money.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Massachusetts [Mrs ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I sat in on the hearings held yesterday by the subcommittee on hospitals of the Committee on Veterans' Affairs presided over by the gentleman

from New York [Mr. KEARNEY]. I believe General Hawley meant the ceiling placed by the Budget Director as a result of President Truman's order to cut the various departments 6 months ago. But certainly in cutting the various departments the veterans should not be hurt.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. His statement in substance to us was this, that he did not have personnel to operate the 5,700 beds that are now vacant. When I asked him why he could not operate them he told us he did not have the money. He testified that he could get the personnel if he had the money. Without undertaking to say specifically where the ceiling blame lies, it was plainly indicated he was operating under a ceiling that would not now permit him to get the personnel and after the new fiscal year starts on July 1 he will have to close more beds and there will be a total of about 9,400 beds that he cannot operate after that time unless he gets the money.

Mr. TABER. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. TABER. We have not had hearings on the appropriation for the next fiscal year and nobody has attempted to fix any ceiling on it. They have not even got their final budget estimate up here for us yet.

Mrs. ROGERS of Massachusetts. I think the Administrator has a great deal of difficulty with those budgets. For instance, with reference to estimates that are sent to the Committee on Veterans' Affairs regarding costs, I will read some figures that were given to our committee as the costs of the Kearney bill, H. R. 246, reported unanimously quite a good many weeks ago by the Committee on Veterans' Affairs, and for which the committee has been trying to secure a rule. The Rules Committee has promised a hearing. It should be granted at once.

The Veterans' Administration estimates that the cost of increasing the ceiling provision would amount to $149,688,000. Their basis for this estimate is that they anticipate 675,000 veterans per month in on-the-job training for the fiscal year 1948. They studied 20 percent of the veterans in the present program as of July 31, 1946, or about 120,000, and they arrived at an average unit increase of $18.48 per man per month under the provisions of H. R. 246. They have multiplied $18.46 by 12 months by 675,000.

The Veterans' Administration points out that the resulting figure of $149,688,000 does not include an unknown number of additional veterans who would be attracted to on-the-job training because of higher ceilings. The estimate of 675,000 veterans in on-the-job training under Public Law 346 for the fiscal year 1948 may be high, and I am inclined to think that it is. The average for January, February, and March, 1947, is 626,994 veterans in training. If this average prevails throughout fiscal 1948 the estimated cost of the ceiling provision in H. R. 246, based on the Veterans' Administration own increased unit-cost figure, would be $139,042,189.

I find this discrepancy in amounts in a great many reports coming from the Veterans' Administration. General Bradley takes the figures of his statisticians, and the amounts are always high, and clearly, I think, they are high in this Report No. 77, on H. R. 246. It is important to take the Veterans' Administration figures, if possible, in reporting Veterans' Administration bills to the Congress, but not if they are inaccurate.

Then the Committee on Veterans' Affairs has another report which goes with the Wheeler bill, H. R. 2181. The gentleman from Kansas, Congressman MEYER, and the gentleman from Oklahoma, Congressman JOHNSON, introduced companion bills. H. R. 2181 came out of the Committee on Veterans' Affairs unanimously some time ago; the subcommittee reported it first and then the main committee. I have had a statistician working on these figures which I have quoted and they are not figments of my own imagination.

As to institutional on-farm training, there is no difference in the cost of the present law and the proposed bill, namely, $117,000,000, but the Veterans' Administration states that if a new bill were made to conform with General Bradley's directive of August 26, 1946, since rescinded because of public disapproval, the cost would be reduced $48,000,000.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. TABER. Mr. Chairman, I yield the gentlewoman two additional minutes.

Mrs. ROGERS of Massachusetts. It is fantastic the way the Veterans' Administration goes about saying why it costs more, and the costs are not more under the directive they are operating on. The Veterans' Administration admitted before our Committee on Veterans' Affairs that with this directive now in force and upon which the bill is based we would simply be enacting into law what the Veterans' Administration is doing today—and if I am incorrect I will ask the authors of the bills to correct me.

Mr. WHEELER. Merely stabilizing the present program.

Mrs. ROGERS of Massachusetts. That is correct, and that is costing an average of $117,000,000 per year. On top of all this, the Veterans' Administration's 1948 budget calls for $117,000,000—exactly what they are operating on today.

Mr. WHEELER. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachuetts. Yes; I shall be glad to yield. We are all very much interested in this bill, and I know that the distinguished gentleman from Iowa, a former member of this committee, Judge CUNNINGHAM, is very much interested in it also.

Mr. WHEELER. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Georgia.

Mr. WHEELER. In the bill to which the gentlewoman refers there is no justification for its costing any more money whatsoever. It merely spells out for the Veterans' Administration the present law in such a way as to stabilize the vocational-training program for veterans. There is no justification for any increased expenditure whatsoever.

Mrs. ROGERS of Massachusetts. I have other reports here which I will not give, but I have had a feeling that if the Veterans' Administration were made into an executive department and given backing and stability you would have a very much happier personnel—a much more efficient organization. The Veterans' Administration would have much more prestige—much more standing. The head of the department would undoubtedly be a Cabinet member, and that Cabinet member would sit in on the Cabinet meetings. They perhaps would borrow personnel from other departments. I have a great liking for General Bradley and I feel that he is being pushed here and pushed there and pushed the other place. There is new personnel coming in and I think they do not get on too well with the personnel of the old Veterans' Administration. As a result, General Bradley is caught in the middle.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

WAR ASSETS ADMINISTRATION

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses," War Assets Administration, $75,000,000, to be derived from the special fund account in the Treasury established by the First Deficiency Appropriation Act, 1946.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to say a word about the item in this bill providing a $75,000,000 deficiency appropriation for the War Assets Administration.

In my opinion we would be doing a greater service to the veterans, to the taxpayer, and to everyone concerned if we would take this provision out of the bill, order the War Assets Administration liquidated at once, and turn the sale of surplus property over to the Army or Navy or some other agency that can do a good job of it. The reason I say that is this:

I have evidence that the War Assets Administration is not aiding the veteran. I placed in the RECORD today, and it will appear in the Appendix tomorrow, a letter from a veteran of World War II which shows clearly just how the veterans are being given the run-around in their attempt to buy surplus property from the War Assets Administration. The experience of this veteran, I find, is the same as the experience of many others. In the final analysis, the only place he could get what he wanted to buy from his own Government that he fought for was from a speculator to whom it had been sold by the War Assets Administration.

Several months ago a garage operator and automobile distributor in the town of Knoxville, Iowa, received a circular

from the War Assets Administration, or a branch of it in Chicago, itemizing equipment that they were to sell on a certain day. It specified the room number, the building, and the hour of 10 o'clock in the morning. This garage operator sent one of his men into Chicago at his own expense to bid on these articles. When he arrived at this particular room a little before 10 o'clock there were several dozen other men there just like him, representing their employers from throughout the Middle West. The office door was locked. There was no one there. They waited until about 11 o'clock. Then a man showed up and said the sale was being held in another room in another building several blocks away. When they got to the building it was all over, the surplus property had been sold to speculators. He went back home. A few weeks later his employer got another circular advertising more material. His employer again sent him back to Chicago and again he had exactly the same experience. He went back home. His employer was disgusted and would not pay any attention to any more circulars.

A few days later he received a circular from an outfit in Chicago that had purchased this material from the War Assets Administration offering to sell it to him for several times what it had been advertised for by the War Assets Administration. I say the War Assets Administration operating along those lines is not giving any service to the taxpayers or businessmen or anyone who is supposed to be benefited by it, and we would be better off if we liquidated the War Assets Administration at once.

I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. Have you ever heard of a case of a veteran ever getting anything from the War Assets Administration?

Mr. CUNNINGHAM. I have not.

Mr. O'KONSKI. I know of a case where a veteran paid $750 for a truck and when he came to get it, it did not have any wheels or motor in it.

Mr. CUNNINGHAM. I know of cases where veterans have pooled together and acted as a combine for someone behind the scenes and they have gotten material that way. But the individual veteran cannot get anything. The purpose of the Congress in establishing the War Assets Administration was to help the veteran.

I yield to the gentleman.

Mr. WHEELER. The gentleman stated that the War Assets Administration was doing a poor job for the veteran. I would say that they are just doing a poor job, period.

Mr. CUNNINGHAM. They are not doing any job at all for the people.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I overhear the gentleman from Wisconsin on the side asking whether I am rising to defend the War Assets Administration. Not particularly, I will say to the gentleman, but I think the record should be clear with respect to what the $75,000,000 was for, in view of the statement that has been made. During the Seventy-ninth Congress the War Assets Administration submitted a budget estimate for $105,000,000 to permit them to reimburse the War Department and the Navy Department and other agencies of the Government for taking care of property after it has been declared surplus until disposed of. That was the amount of money they estimated last year would be necessary for the War Assets Administration to reimburse these other agencies of the Government.

The Committee on Appropriations of the Seventy-ninth Congress thought that figure was pretty large and that some money might be saved on it. So they suggested, and it was incorporated in one of the deficiency bills passed last year, the third deficiency appropriation bill for 1946, I believe, that the War Assets Administration should go ahead and incur the caretaking obligations but try to keep them down as low as possible and then report their needs to the next Congress for the amount of money necessary. It develops that the War Assets Administration is able to take care of about $25,000,000 of the obligations out of their other funds and that the total amount of obligations is about $100,000,000 instead of $105,000,000. So, they are taking care of $25,000,000 out of funds otherwise appropriated to the War Assets Administration and they are here receiving $75,000,000. In other words, the action of the Committee on Appropriations heretofore in handling it in this way has resulted in a net saving to the Government of $30,000,000.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. CUNNINGHAM. But there is nothing in this appropriation bill that would compel the War Assets Administration to do the job as it should do it.

Mr. CASE of South Dakota. Of course, that would require legislation, if it could be done at all, and this is an appropriation bill. I might say to the gentleman from Iowa, however, that during the hearings on the War Assets Administration I presented a tentative draft of a bill to the Director, Major General Littlejohn, proposing that the War Assets Administration should conduct auction sales and terminate its entire activities and liquidate by the 30th of June. The gentleman may be interested in seeing the comment that was made on that proposal. I share with the gentleman from Iowa the feeling that there is room for great improvement in the handling of surplus property.

Mr. WHEELER. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. WHEELER. From the experience with the War Assets Administration I have been led to believe that they do not want to dispose of anything bigger than an Army blanket because that would eventually lead to the dissolution of their empire.

Mr. CASE of South Dakota. The gentleman may be interested in reading the hearings and seeing how they sought to sell some large Constellation planes, by putting five-column advertisements in newspapers of general circulation. I suggest that a reading of the hearings would be enlightening to many Members. There is no question but that the handling of surplus property is a difficult job and I am not sure that Congress made the job any simpler by the large number of objectives stated in the basic act. Personally, I think there is much to be said for winding up the operation at an early date.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

I should like to speak with regard to this War Assets Administration also. I do not know exactly where the fault lies, but the first bill which gave veterans priority in the purchase of surplus property was introduced in the Senate by the gentleman from Wyoming [Mr. O'MAHONEY] and by myself in the House. It finally came out as the Manasco bill in the House. I, too, agree it is very difficult for the veterans to get any priorities in purchases from the War Assets Administration. Also, it is very difficult for the veterans to secure priority on the Lanham Act in the purchase of permanent Government housing. I tried to secure some legislation last year for that purpose. The chairman of the Committee on Banking and Currency, Judge WOLCOTT, says that his committee is considering a bill giving the veterans priority in the purchase of Government-owned apartment buildings, for instance here in Washington. After the agitation that went on here, veterans were allowed to pool together to buy the Fairlington Apartment project, but they never were able to buy McLean Gardens. I should be very sorry if the War Assets Administration should sell property without giving the veterans a priority opportunity to purchase or that the Congress should authorize that that be one.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my experience with the War Assets Administration has not been as disastrous as that indicated by some of my colleagues.

At Prairie in the district I represent, the Gulf Ordnance plant was located during the war. It was a shell-loading plant. When the war closed they had some of the finest machine shops there I have ever seen. The Mississippi State College is about 28 miles away, and they asked me to help them get some of that machinery. I went over and looked over the plant. I called the board of trustees of the institution, I communicated with the Governor, and I said the best thing I saw to do was to get that entire plant transformed into a training school for veterans, and also for other young men who were to come on in the future.

You know, we have become top-heavy with our education in this country. We have trained our students how to keep from work for a long time. I wanted a place that would train the young men who had to work. Well, we had a great deal of correspondence and several trips were made to Washington by the interested men, but we finally succeeded in getting that plant set up, and today there are between 700 and 1,000 ex-servicemen

there getting the training they need to prepare them to make a living with their own hands in the years to come.

I do not know about these individual propositions that have been mentioned. I have had complaints from men who tried to get automobiles and trucks and so forth. I have also assisted them as best I could. Some of them were successful and some were not. But I want to say to you that the one thing I worked most on was to get this training school, these buildings and the machinery, the waterworks, the sewage system, fire department, and everything else that was already there, to get it for the benefit of these young men who were coming back from the war and who needed training to prepare them for their avocations in life. I succeeded, and I had the full cooperation of the War Assets Administration.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. CASE of South Dakota. I think the gentleman should be commended upon the success he attained. I think what he proved is that it is easier to get the War Assets Administration to give something away than it is to sell something to a veteran.

Mr. RANKIN. If you have a plant in South Dakota it would not hurt the War Assets Administration and it would not hurt the Federal Government for them to donate that plant to help train servicemen in South Dakota, who are going to need that training for their future avocations.

Mr. CASE of South Dakota. I may say that in South Dakota the State superintendent of public instruction put a man on his staff to act as an agent for the several schools of the State which pool their requests and operate through him. I think they have been doing about the same thing the gentleman suggests.

Mr. RANKIN. That is a very fine program and I commend the gentleman on it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MASON. I wish to commend the gentleman on his success in that instance, but I also want to say that I have interceded for teachers' colleges in my State who wanted a part of the equipment that War Assets had and they were unable to get it because War Assets was too anxious to sell it to these other fellows.

Mr. RANKIN. Yes; I have heard similar reports from others also, I may say to the gentleman from Illinois, but I merely wanted to relate to the House my experience in trying to get an institution established; and it was not altogether a donation either, the State has some responsibilities, but I am getting an institution established that will help train the man who has to work for a living in the years to come.

Unless we have institutions to train the young men and women of America who are going to have to do the work in this complex mechanical age, we are not going to make the progress we should make in the years that lie ahead of us.

By unanimous consent the pro forma amendments were withdrawn.

The Clerk read as follows:

Relief of needy Indians (tribal funds): For an additional amount, fiscal year 1947, for "Relief of needy Indians (tribal funds)," $50,000, payable from funds on deposit to the credit of the particular tribe interested.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 8, line 7, strike out the period and insert the following: "*Provided*, That surplus potatoes purchased by the Commodity Credit Corporation of the Department of Agriculture may be made available to the Bureau of Indian Affairs for seed and for the relief of needy Indians and that any funds appropriated for the welfare or relief of needy Indians shall be available for the transportation of potatoes so supplied."

Mr. CASE of South Dakota. Mr. Chairman, I have submitted this amendment to the chairman of the committee and also to the ranking minority member, and I believe it is agreeable to both. It does not provide for any additional appropriation, but merely for the use of surplus potatoes the Government has already purchased.

As everyone knows, the Government has bought large quantities of potatoes under the support program. Some of them are being used for overseas relief, but shipping costs are such that only a limited number can be used efficiently that way. The committee was told by Mr. Herbert Hoover and others that it was cheaper to buy wheat than to use these potatoes owing to shipping costs and relative food values. Much of the potato is water, as everyone knows, and the potato is bulky and heavy.

On the other hand, large quantities of these potatoes will go to waste and eventually spoil or be disposed of for fertilizer use. Under existing law, these potatoes can be made available for certain relief clients and many tons are so being handled. Large quantities remain, however. In my own State, at Watertown, for example, we were told a few weeks ago that 800,000 bushels were stored and that a large amount of them would go to waste. Inquiry at the Department of Agriculture developed that a limited quantity could be made available to feed people who were receiving assistance, but that existing law would not permit them to be supplied to persons for planting.

On one Indian reservation in my district the superintendent estimated that they could use one carload for relief if it was required that they be used for food only, but that they could use six carloads if they could also be used for seed. These potatoes otherwise will spoil and eventually the Government will pay someone to haul them away to get rid of the rotting mess.

It only makes common sense to permit the Indians to use them for seed as well as relief feeding, thereby contributing to a probable lessening of relief needs next winter.

The amendment makes such use possible. It does not appropriate a single dollar of new money. It seeks to salvage money already expended.

The chairman and the ranking minority members of the Appropriations Committee have already assured me they had no objection to the amendment, and I feel sure the House will concur in approval. I appreciate the favorable consideration that has been given.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. TABER. Mr. Chairman, I ask unanimous consent that the balance of the bill may be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. Are there any amendments?

Mr. TABER. Mr. Chairman, there being no amendments, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOPE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 3245) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, had directed to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

Mr. TABER. Mr. Speaker, I move the previous question on the bill and amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. REES (at the request of Mr. CASE of South Dakota) was given permission to revise and extend the remarks he made in Committee today and to include some tables.

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and include an article from the Inglewood Daily News of Inglewood, Calif.

Mr. TEAGUE asked and was given permission to extend his remarks in the RECORD.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BROPHY asked and was given permission to extend his remarks in the RECORD in two instances.

POLISH CONSTITUTION DAY

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, on Monday next immediately after the reading of the Journal I have 1 hour allotted me which will be used in observance of Polish Constitution Day. If any Members of Congress want to participate in that observance they will be welcome to use part of the hour.

Mr. Speaker, I have a speaking engagement in the Dominion of Canada on Sunday and I doubt that I shall be back on Monday in time for this observance. I ask unanimous consent that the hour allotted to me be allotted the gentleman from Wisconsin [Mr. SMITH] who will act in my stead.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ASSISTANCE TO GREECE AND TURKEY

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 205, Rept. No. 335), which was referred to the House calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 2616) to provide for assistance to Greece and Turkey, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 9 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of the bill H. R. 2616 it shall be in order to take from the Speaker's table the bill S. 938 and to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions contained in H. R. 2616.

The SPEAKER. Under previous special order of the House, the gentleman from North Carolina [Mr. REDDEN] is recognized for 15 minutes.

FEDERAL AID TO PUBLIC SCHOOLS

Mr. REDDEN. Mr. Speaker, I have not heard anything said on the floor of this House since the Congress convened on January 3 about Federal aid to the public schools of this Nation.

All over the country we are impressed almost daily with the need for Federal aid, and yet there seems to be a spirit of complacency and inaction among those in the Congress who should rise up in support of legislation for this important movement.

I might say that the school teachers of America and the parent-teacher associations have long been the principal factor in molding favorable public opinion on this subject, and it seems now that they will probably have to come into play once more in a very active way to remind Congress of these educational needs.

It is argued by opponents of Federal aid that they do not approve of Government interference in our State school system. This argument is nullified by the fact that there are bills now pending in the Congress which clearly forbid Government interference. In fact, I should say that the proper construction upon this legislation should be unrestricted Federal contribution to schools for the reason that it amounts to a contribution to the school system without any right to dictate school policies. It is an outright unconditional gift.

I know that all of us realize the need for such a gift now to a great number of the States.

In the last Congress bills substantially the same as are now pending in this Congress were under consideration, but for one reason or another the Seventy-ninth Congress adjourned without approving a single bill on this subject.

One of the educational committees of the Seventy-ninth Congress did hold hearings on these bills. I wish every person in this Nation could read the report of the committee. It is astounding in many respects, yet no one will dare challenge its truthfulness.

A significant statement of the report says:

> For the country as a whole 2 percent of the young men registered between May and September 1941 could not sign their names. In five States from 8 to 14 percent marked their registration cards with an "X." All five of these States were among those with limited educational opportunities.
>
> In August of 1945 the Selective Service System reported that 676,300 men between the ages of 18 and 37 were rejected for educational and mental deficiencies. On the basis of earlier statements of Selective Service it can be estimated that at least 300,000 of these were rejected solely for educational deficiencies. Among the remainder the principal cause for rejection was educational deficiency but it was accompanied by other disqualifying defects. Thus in the hour of the Nation's greatest need there was an equivalent of 20 combat divisions unable to serve because of illiteracy and other educational deficiencies. General Marshall's report shows that we used 22 combat divisions in the South Pacific operations.

It will be further observed that as high as 22 percent were rejected in some States by the selective service because of educational deficiencies.

Are these facts alone not sufficient to demand action now in behalf of proper educational legislation?

It is argued by some that the cost of Federal aid is so great that we cannot afford it at the present time. I take issue with this holding.

One of the bills provides for an initial appropriation of $150,000,000 for the fiscal year ending June 30, 1948; for the fiscal year ending June 30, 1949, $200,000,000; for the fiscal year ending June 30, 1950, and for each fiscal year thereafter, the sum of $250,000,000. It will be noted, therefore, that beginning in 1950 an annual appropriation thereafter will be made by the Congress in the sum of $250,000,000, to be apportioned among the States according to wealth and number of school students.

In terms of appropriations for many things of no greater import, these figures are comparatively small.

This country has contributed more than $3,345,000,000 to foreign relief, of which $2,700,000,000 was given to UNRRA. Of this vast sum, practically every suffering nation on earth received a substantial portion. This included nearly $500,000,000 in goods of various kinds, including food and medical supplies to Yugoslavia, some of which was actually delivered there after American soldiers were shot down on the flimsy pretense or excuse that they had veered from their course and were trespassing upon the sovereignty of the country America spilled her blood to save.

Another $500,000,000 went to Russia in like goods, some of which may have gone to sustain the Russian Army that now poses a threat to world freedom and is directly responsible for billions of dollars of expenditure of American money in the present, as well as the past succeeding appropriation bill.

Were it not for this Communist Army, that is, the Red Army of Russia, there would be enough unused money in the present appropriation bill as requested by the President to give Federal aid to public schools in an amount exceeding $5,000,000,000.

Were it not for the influences and danger of this communistic element outside the Russian borders, America could give more than $1,000,000,000 to our public school system without increasing appropriations.

The country that maintains this danger has ever since VE-day been engaged in stripping Europe of its valuables in the name of reparations. Russia has taken machinery, guns, ammunition, tools of war of all kinds, food, clothing, and every type of human necessity back to her native land. She has retained a number of ships, the property of the United States, and declined until recently to negotiate with respect to a return of them. She owes this country approximately $12,000,000,000 in lend-lease and does not have the slightest conception of paying one cent of it.

Russia's policy has broken the last economic straw of the British Empire and we find England today almost prostrate and at the mercy of this enemy of freedom.

Our President has called on this Congress to appropriate $400,000,000 for one purpose only—to save a comparatively small nation from being engulfed in communism.

I understand another $500,000,000 will be requested for Korea for the same purpose.

In addition to these expenditures, we have already loaned England and France billions of dollars and have spent untold millions in every corner of the earth, not alone to save the world from starvation but to save it from communism.

After considering all these facts, when I am told that the present Congress cannot afford to appropriate money for Federal aid to public schools, I am reminded

of the sailor's words, "Water, water everywhere, but not a drop to drink."

It seems that we have money for every purpose except to build up our school system and educate the youth of America. Just recently I listened to a very interesting argument on the floor of this House, where some of the most influential Representatives of the majority party argued that we could not afford to appropriate money for the Federal school-lunch program.

We are economizing at the expense of the health and education of the school children of America.

I believe in the principles of charity. I am proud of the fact that my country has given substantial aid to the starving people of the world. No nation, nor any race of people, can say that America is lacking in the spirit of charity. However, I argue that it is unfair to our own home folk, to our children and to our needy when we say that we must send all these billions to other lands and yet are not in position to spend a few million dollars to stop the expansion of communism right here in our own land. I take the position that while it is well to be charitable, an even greater virtue requires that we must be just before we are charitable. It is not just to deny to our own people the greatest need in America today, the education of our youth, on the excuse that we must spend our money abroad.

All over this country of ours the school teachers, whom most of us know as the classroom teachers of America, have been required to take a most embarrassing position in order to be reasonably compensated for services rendered as a teacher. For the first time in my recollection I heard that teachers were on strike for better pay. I know this must have been a bitter pill to every one of them. I know that they would not have gone on strike had there been any other way to have brought to bear upon the proper officials the circumstances under which they labored. They are the poorest paid class of people in the United States when considered in the light of public requirements.

In the light of these requirements and the small salaries received it is interesting to observe that the school teachers paid into the Treasury approximately $200,000,000 in Federal income tax last year. Actually they did not have one single dollar to spare, yet they made these payments without complaint and in keeping with their usual spirit of patriotism. However, I think the time has come when they are entitled to be heard on their complaints. Their appeals are not alone for themselves but for your children and mine and for all America. I hope they will not go unheard and unheeded by this Congress.

EXTENSION OF REMARKS

Mr. EBERHARTER (at the request of Mr. BUCHANAN) was given permission to extend his remarks in the RECORD.

BILL PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on May 1, 1947, present to the President, for his approval, a bill of the House of the following title:

H. R. 2849. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

ADJOURNMENT

Mr. CANFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 58 minutes p. m.) the House, under its previous order, adjourned until Monday, May 5, 1947, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

637. A letter from the Comptroller General of the United States, transmitting a report on the audit of Inland Waterways Corporation and its subsidiary, Warrior River Terminal Company, for the fiscal year ended June 30, 1945 (H. Doc. No. 234); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

638. A letter from the Comptroller General of the United States, transmitting a report on the audit of United States Spruce Production Corporation for the fiscal year ended June 30, 1946, and for the period July 1, 1946, to December 12, 1946 (H. Doc. No. 235); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

639. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to repeal that part of section 3 of the act of June 24, 1926 (44 Stat. 767), as amended, relating to the percentage, in time of peace, of enlisted personnel employed in aviation tactical units of the Navy and Marine Corps, and for other purposes; to the Committee on Armed Services.

640. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the conversions of certain naval vessels; to the Committee on Armed Services.

641. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend the act entitled "An act to provide for the training of officers for the naval service, and for other purposes," approved August 13, 1946; to the Committee on Armed Services.

642. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Armed Services.

643. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes; to the Committee on Public Lands.

644. A letter from the Comptroller General, United States, transmitting a report on the audit of the War Shipping Administration for the fiscal year ended June 30, 1945; to the Committee on Expenditures in the Executive Departments.

645. A letter from the Chairman, United States Maritime Commission, transmitting the quarterly report of the United States Maritime Commission on the activities and transactions of the Commission under the Merchant Ship Sales Act of 1946, from January 1, 1947, through March 31, 1947; to the Committee on Merchant Marine and Fisheries.

646. A communication from the President of the United States, transmitting a revised estimate of appropriation for the fiscal year 1948 involving a decrease of $20,750,000 for War Assets Administration (H. Doc. No. 236); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. Senate Joint Resolution 102. Joint resolution to permit United States common communications carriers to accord free communication privileges to official participants in the world telecommunications conference to be held in the United States in 1947; without amendment (Rept. No. 334). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 205. Resolution providing for the consideration of the bill (H. R. 2616) to provide for assistance to Greece and Turkey; without amendment (Rept. No. 335). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRADLEY of California:

H. R. 3301. A bill to provide for the appointment of conservators, receivers, and other fiduciary officers to take charge of the affairs of Federal savings and loan associations, and for other purposes; to the Committee on Banking and Currency.

H. R. 3302. A bill to reestablish the original eleventh and twelfth Federal home-loan bank districts and to reestablish the original Federal Home Loan Bank of Los Angeles and the original Federal Home Loan Bank of Portland; to the Committee on Banking and Currency.

By Mr. ANDREWS of New York:

H. R. 3303. A bill to stimulate volunteer enlistments in the Regular Military Establishment of the United States; to the Committee on Armed Services.

By Mr. BRAMBLETT:

H. R. 3304. A bill to amend Public Law 537, Seventy-seventh Congress, approved May 2, 1942; to the Committee on the Judiciary.

By Mr. GOSSETT:

H. R. 3305. A bill to make eligible for naturalization Japanese persons and persons of Japanese descent who are residing in the United States and whose sons died while serving in the armed forces of the United States during World War II; to the Committee on the Judiciary.

By Mr. KARSTEN of Missouri:

H. R. 3306. A bill to provide additional compensation for employees of the Federal Government and the District of Columbia; to the Committee on Post Office and Civil Service.

By Mr. O'HARA:

H. R. 3307. A bill to establish a Federal Traffic Bureau, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RAMEY:

H. R. 3308. A bill to increase the minimum allowance payable for rehabilitation in service-connected cases; to the Committee on Veterans' Affairs.

By Mr. CRAWFORD:

H. R. 3309. A bill to amend the Organic Act of Puerto Rico; to the Committee on Public Lands.

By Mr. BRYSON:

H. J. Res. 187. Joint resolution proposing an amendment to the Constitution of the United States providing that neither Congress nor any of the several States shall aid any educational institution wholly or in part under sectarian control, and for other purposes; to the Committee on the Judiciary.

By Mr. WELCH:

H. J. Res. 188. Joint resolution authorizing the erection on public grounds in the city of Washington, District of Columbia, of a memorial to the dead of the First Infantry Division, United States forces, World War II; to the Committee on House Administration.

By Mr. BRADLEY of California:

H. Res. 203. Resolution requesting the President to remove from office John H. Fahey, Commissioner, Federal Home Loan Bank Administration, and Harold Lee, Governor, Federal Home Loan Bank System; to the Committee on Banking and Currency.

By Mr. PETERSON:

H. Res. 204. Resolution to authorize the United States Tariff Commission to investigate the differences in costs under section 336 of the Tariff Act of 1930 on sponges; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the legislature of Guam, memorializing the President and the Congress of the United States requesting United States citizenship for certain citizens of Guam and the enactment of an organic law for the government of the island; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relating to lasting world peace; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to create the Petrified Forest National Park; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to support certain legislation beneficial to veterans and others; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BRAMBLETT introduced a bill (H. R. 3310) for the relief of Max Schlederer, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

425. By Mr. JENKINS of Ohio: Petition of 56 citizens of Athens County, Ohio, urging favorable consideration and support of S. 265, a bill to prevent the interstate transmission of advertising of all alcoholic beverages and the broadcasting of such advertising by means of radio, and to support any other bills of a similar character; to the Committee on Interstate and Foreign Commerce.

426. Also, petition signed by 29 employees of the Chesapeake & Ohio and the New York Central Railroads, requesting that the House of Representatives vote against H. R. 2169, H. R. 2310, and S. 670; to the Committee on Interstate and Foreign Commerce.

427. By Mr. JONES of Washington: Petition of the Legislature of the State of Washington, memorializing the President and the Congress of the United States to set aside forever certain tracts within the present boundaries of Vancouver Barracks, Wash., as a national monument under direction of the National Park Service, and to appropriate adequate funds for the immediate acquisition, research, and construction of buildings reproduced in detailed dimension and exactness to those previously constituting old Fort Vancouver; to the Committee on Public Lands.

428. By Mrs. NORTON: Petition of approximately 450 railroad employees, urging certain amendments to the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

429. Also, petition of Lt. Robert P. Grover Post, No. 377, Jewish War Veterans of the United States, Jersey City, N. J., pertaining to the Palestine situation; to the Committee on Foreign Affairs.

430. Also, petition of New Jersey State Patrolmen's Benevolent Association, Inc., endorsing and urging the enactment of H. R. 1613; to the Committee on Ways and Means.

431. By the SPEAKER: Petition of C. H. R. Hovde, M. D., petitioning consideration of his resolution with reference to change of Government policy and redress of grievances; to the Committee on the Judiciary.

432. Also, petition of Josef and Eugenie Geiger, petitioning consideration of their resolution with reference to Nation-wide passive defense against atom bombing and germ warfare; to the Committee on Public Works.

SENATE

MONDAY, MAY 5, 1947

(Legislative day of Monday, April 21, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Most gracious God, facing the activities and the opportunities of another week, may we be eager and not reluctant. Keep us ever alert to the need for change, and open as channels for divine power. Help us to keep keen the edges of our minds, to keep our thinking straight and true. Give us the will to keep our passions in control and the common sense to keep our bodies fit and healthy, that we may be able to do what Thou hast called us to do.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 2, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 3245) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	O'Conor
Baldwin	Hayden	O'Daniel
Ball	Hickenlooper	O'Mahoney
Barkley	Hill	Overton
Brewster	Hoey	Pepper
Bricker	Holland	Reed
Brooks	Ives	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Robertson, Wyo.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Cordon	McCarthy	Thomas, Okla.
Donnell	McClellan	Thomas, Utah
Downey	McFarland	Thye
Dworshak	McGrath	Tobey
Eastland	McKellar	Tydings
Ecton	McMahon	Umstead
Ellender	Magnuson	Vandenberg
Ferguson	Malone	Watkins
Flanders	Maybank	Wherry
Fulbright	Millikin	Wiley
George	Moore	Williams
Green	Morse	Wilson
Gurney	Murray	Young
Hatch	Myers	

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Delaware [Mr. BUCK], and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from New York [Mr. WAGNER] is necessarily absent.

The PRESIDENT pro tempore. Eighty-nine Senators having answered to their names, a quorum is present.

NOTICE OF HEARINGS ON FAIR EMPLOYMENT PRACTICE BILL

Mr. DONNELL. Mr. President, announcement is hereby made that the subcommittee of the Committee on Labor and Public Welfare, which consists of Senators SMITH, IVES, MURRAY, ELLENDER, and myself, of which subcommittee I am chairman, and which is to consider Senate bill 984, will begin open public hearings with respect to the bill on Wednesday, June 11, 1947, at 9:30 o'clock a. m. The hearings are scheduled to be held in the office of the Committee on Labor and Public Welfare, old Military Affairs Committee room, in the Capitol. It is hoped that the hearings may be completed in a period of 6 days, consisting of June 11, 12, 13, 18, 19, and 20.

Senate bill 984 is entitled "A bill to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry." It is the desire of the subcommittee to hear both sides relative to the bill. Anyone desiring to suggest the name of any person to appear before the subcommittee should communicate with Mr. Philip R. Rodgers,